FEDERAL REGISTER

VOLUME 13 NUMBER 45

Washington, Friday, March 5, 1948

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 2—APPOINTMENT THROUGH THE COMPETITIVE SYSTEM

TEMPORARY APPOINTMENT

Section 2.114 (e) (1) (12 F. R. 7170) is amended to read as follows:

§ 2.114 *Temporary appointment.*
* * *

(e) *Agency authority to make temporary appointments.* Subject to the conditions specified, the Commission hereby delegates authority to agencies to make:

(1) Emergency appointments without examination in cases of extreme emergency where positions must be filled without delay, and where time does not permit the securing of prior authority of the Commission. Such emergency appointments may not continue for more than 31 days and may not be extended by the agency without the prior approval of the Commission.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 48-1935; Filed, Mar. 4, 1948; 8:59 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment)

[ACP-1948-2]

PART 701—AGRICULTURAL CONSERVATION PROGRAM BULLETIN

MISCELLANEOUS AMENDMENTS

The 1947 National Agricultural Conservation Program Bulletin (11 F. R. 9467) as amended, did not contain a list of the soil-building and soil- and water-conserving practices for which payment would be made under the program. The practices applicable in each State for 1947, together with the maximum rates of payment therefor, were listed in State handbooks which were published in the FEDERAL REGISTER (11 F. R. 14339-14451) as separate sections of the national program. Since the 1948 National Agricultural Conservation Program Bulletin (12 F. R. 6679) contains a list of all practices, together with maximum rates of payment, for which credit may be earned under the program, it is believed that by amending the 1948 National Program Bulletin to include certain details applicable to the States severally, publication in the FEDERAL REGISTER of a seperate section for each State for 1948 can be dispensed with. The amendments herein are designed for that purpose.

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, the 1948 Agricultural Conservation Program Bulletin, issued October 6, 1947 (12 F. R. 6679) as amended, is further amended as follows:

1. § 701.903 (j) is amended to read as follows:

§ 701.903 *Conservation practices and maximum rates of payment.* * * *

(j) *Prior approval.* Prior approval of the county committee is required in all States for the practices contained in paragraphs (c) (1) (16) (17) (18), (19) (21) (22), (23) (25) (26), (d) (1), (2) (3) (4), (e) (1) (2) (3) (4), (5), (6) (7) (9) (12) (14) (15) (f) (1), (2) (3) (4) (g) (1) (2) (3) (h) (1), (3) (4) (5) of this section. Prior approval of the county committee also is required for all other practices contained in this section in all States, except Arkansas, Delaware, Florida, Georgia, Kentucky, Maryland, North Carolina, Tennessee, Virginia, West Virginia, Alaska, Hawaii, Puerto Rico, and the Virgin Islands. Prior approval, where required, must be given before the practice is performed and shall include, where applicable, location, type of material, species, types and kinds of seed, planting or seeding dates, designated types or methods of construction, and other similar information which will insure proper performance of the practice.

2. Section 701.908 (a) is amended by deleting the words "designated by the ACP Branch as an area" in the first sentence, and adding the following at the end of the paragraph:

(Continued on next page)

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FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

§ 701.908 *General provisions relating to payments*—(a) *Breaking out permanent vegetative cover* * * * For the purposes of the 1948 program, the areas subject to serious wind erosion shall include all counties in Kansas, Montana, New Mexico, and North Dakota; all counties except Burt, Butler, Cass, Cedar, Colfax, Cuming, Dakota, Dixon, Dodge, Douglas, Fillmore, Gage, Jefferson, Johnson, Lancaster, Nemaha, Otee, Pawnee, Platte, Polk, Richardson, Saline, Sarpy, Saunders, Seward, Stanton, Thayer, Thurston, Washington, Wayne, and York Counties in Nebraska, all counties except Aurora, Beadle, Bon Homme, Brookings, Brown, Clark, Clay, Codington, Davison, Day, Deuel, Douglas, Grant, Hamlin, Hanson, Hutchinson, Jerauld, Kingsbury, Lake, Lincoln, McCook, Marshall, Miner, Minnehaha, Moody, Roberts, Sanborn, Spink, Turner, Union, and Yankton Counties in South Dakota; Beaver, Cimarron, Ellis, Harper, Roger Mills, Texas, and Woodward Counties in Oklahoma; Armstrong, Dallam, Deaf Smith, Hansford, Hartley, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Potter, and Sherman Counties, Texas; Sheridan, Johnson, Campbell, Crook, Weston, Converse, Niobrara, Platte, Goshen, and Laramie Counties, Wyoming.

3. Section 701.909 (a) is amended by adding the following at the end thereof:

§ 701.909 *Application for payment*—(a) *Persons eligible to file applications.* * * * The final date for filing an application for payment is December 31, 1949, in California, Delaware, Idaho, Illinois, Indiana, Iowa, Kansas Kentucky, Maryland, Michigan, Minnesota, Missouri, Montana, Nebraska, North Carolina, North Dakota, Ohio, Oregon, South Dakota, Tennessee, Virginia, West Virginia, and Wisconsin; June 30, 1949, in Alabama, Arizona, Arkansas, Colorado,

Florida, Georgia, Louisiana, Mississippi, Nevada, New Hampshire, New Mexico, Oklahoma, Pennsylvania, South Carolina, Texas, Utah, Vermont, Washington, and Wyoming; April 30, 1949, in Connecticut, Massachusetts, New Jersey, and Rhode Island; February 28, 1949, in Hawaii, Puerto Rico, and the Virgin Islands; July 1, 1949, in Maine; March 31, 1949, in Alaska; February 15, 1949, in New York. In those States for which the final date for filing an application for payment is earlier than December 31, 1949, the State committee may extend the final date to a date not later than December 31, 1949, when failure to file the application was due to conditions over which the farmer had no control.

4. Section 701.911 is amended to read as follows:

§ 701.911 *State handbooks, bulletins, instructions, and forms.* Copies of State handbooks, bulletins, instructions, and forms containing detailed information with respect to the 1948 program as it applies to specific States, counties, areas, and farms will be available in the office of the State committee (11 F. R. 177A–285) and the office of the county committee. Producers wishing to participate in the program should obtain from the State committee or county committee all information needed in order to comply with all provisions of the program.

(Secs. 7–17, 49 Stat. 1148–1151, as amended, 60 Stat. 663, Pub. Laws 249, 266, 80th Cong., 16 U. S. C. and Sup. 590g–590q)

Done at Washington, D. C., this 1st day of March 1948. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 48–1946; Filed, Mar. 4, 1948; 8:58 a. m.]

PART 701—NATIONAL AGRICULTURAL CONSERVATION PROGRAM

TERMINATION OF CODIFICATION OF STATE PROGRAMS

CROSS REFERENCE: For decision of the Secretary of Agriculture to terminate publication of separate State programs (heretofore codified as §§ 701.840–701.887 and 701.941–701.987) see introductory paragraph to document amending the national program, *supra.*

TITLE 32—NATIONAL DEFENSE

Chapter VII—National Security Resources Board

NOTE: Chapter VII, formerly assigned to the Sugar Rationing Administration, Department of Agriculture, has been reassigned as set forth above.

[Organization Doc. 1]

PART 700—ORGANIZATION

GENERAL

Sec.
700.1 Authority.
700.2 Membership of the Board.
700.3 Agency address; inquiries.
700.4 Function.
700.5 Utilization of other agencies.

INTERNAL ORGANIZATION

700.21 Office of the Chairman.
700.22 Administrative and Coordinating Staff.
700.23 Mobilization Planning Staff.

AUTHORITY: §§ 700.1 to 700.23, inclusive, issued under secs. 3, 12, 60 Stat. 238, 244, 61 Stat. 499; 5 U. S. C. Sup. 1002, 1011.

GENERAL

§ 700.1 *Authority.* The National Security Resources Board was established by the National Security Act of 1947 (61 Stat. 495, 499) as an independent executive agency responsible to the President.

§ 700.2 *Membership of the Board.* The membership of the Board consists of the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, and a Chairman appointed from civilian life.

§ 700.3 *Agency address; inquiries.* The offices of the Board are located in the National Defense Building, Washington, D. C. Inquiries pertaining to the work of the Board should be directed to the National Security Resources Board, Washington 25, D. C.

§ 700.4 *Function.* The function of the Board, pursuant to section 103 (c) of the act, is to advise the President concerning the coordination of military, industrial, and civilian mobilization, including:

(a) Policies concerning industrial and civilian mobilization in order to assure the most effective mobilization and maximum utilization of the Nation's manpower in the event of war;

(b) Programs for the effective use in time of war of the Nation's natural and industrial resources for military and civilian needs, for the maintenance and stabilization of the civilian economy in time of war, and for the adjustment of such economy to war needs and conditions;

(c) Policies for unifying, in time of war, the activities of Federal agencies and departments engaged in or concerned with production, procurement, distribution, or transportation of military or civilian supplies, materials, and products;

(d) The relationship between potential supplies of, and potential requirements for, manpower, resources, and productive facilities in time of war;

(e) Policies for establishing adequate reserves of strategic and critical material, and for the conservation of these reserves;

(f) The strategic relocation of industries, services, government and economic activities, the continuous operation of which is essential to the Nation's security.

§ 700.5 *Utilization of other agencies.* The Board is directed, by section 103 (d) of the act, to utilize to the maximum extent the facilities and resources of the departments and agencies of the Government in performing its functions. By paragraph three of Executive Order 9905, November 13, 1947 (12 F. R. 7613) all Federal departments and agencies are directed to furnish the Board, at its request, such information, reports, statistics and other data or documents in their possession or under their control or obtainable by them in the performance of their normal and lawful functions, and to make for the Board such studies, investigations and reports as are, in the judgment of the Board, necessary or desirable to fulfill the duties and accomplish the functions and purposes of the Board, as prescribed by the act.

INTERNAL ORGANIZATION

§ 700.21 *Office of the Chairman.* The Chairman is appointed from civilian life by the President by and with the advice and consent of the Senate. He is responsible for the direction of the work and staff of the Board, for the preparation and accumulation of factual data necessary to the formulation of plans, policies, and programs concerning the coordination of military, industrial, and civilian mobilization, for the preparation of reports of such plans, policies, and programs, and for the submission of such reports to the President by the Board. The Board has authorized (see § 701.1 of this chapter) the Chairman to exercise those functions of the Board set forth in paragraph three of Executive Order 9905, November 13, 1947 (12 F. R. 7613). The Chairman is assisted in his immediate office by an Executive Assistant, and by Special Assistants for particular problems of special importance.

§ 700.22 *Administrative and Coordinating Staff—(a) Office of the Secretary.* The Secretary advises and assists the Chairman on all matters relating to the planning, preparation and conduct of the meetings of the Board and on the implementation of Board actions and decisions. He is responsible for the development, coordination, and use of Advisory and Interdepartmental Committees, consultants, and private agencies of service to the Board. He directs general research for the staff of the Board and directs the administrative functions of the Board.

(b) *Program Division.* The Program Division develops general concepts, principles, and assumptions to be used in mobilization planning. It coordinates potential over-all requirements and resources, develops and coordinates programs of work for the staff, and coordinates mobilization policies and plans and their presentation in manuals and other documents.

(c) *Office of the General Counsel.* The Office of the General Counsel furnishes legal advice to the Board, the Chairman, and the staff, interpreting legislation and developing and coordinating the legal aspects of mobilization plans and policies.

(d) *Information Division.* The Information Division is responsible for the dissemination of information on the activities of the Board and its plans for mobilization.

§ 700.23 *Mobilization Planning Staff.* (a) The Mobilization Planning Staff is divided into the following divisions:

(1) *Divisions relating to industrial resources:*

(i) Power and Utilities Division.
(ii) Transportation Division.
(iii) Communications Division.
(iv) Production Facilities Division.

(2) *Divisions relating to material resources:*

(i) Petroleum Division.
(ii) Iron and Steel Division.
(iii) Fuels Division.
(iv) Chemicals, Rubber and Plastics Division.
(v) Non-Ferrous Metals Division.
(vi) Non-Metallic Minerals Division.
(vii) Timber and Forest Products Division.
(viii) Textiles, Fibers and Leather Division.
(ix) Agricultural Products Division.

(3) *Divisions relating to human resources:*

(i) Manpower Division.
(ii) Medical Division.
(iii) War Information and Censorship Division.
(iv) Community Facilities and Activities Division.

(4) *Divisions relating to organization and management:*

(i) Economic Stabilization Division.
(ii) Foreign Economics Division.
(iii) Organization and Procedures Division.

(b) Each of the Mobilization Planning Divisions performs the following functions where applicable within its own field:

(1) In coordination with the Program Division: assists in the development of concepts, principles, and assumptions for mobilization; develops and evaluates potential requirements, resources, and deficiences and measures to overcome such deficiencies; formulates projects and plans their implementation; develops and evaluates policies and plans for mobilization;

(2) In coordination with the Secretary prepares reports for the consideration of the Board, utilizes advisory and interdepartmental committees, collects and maintains essential information, maintains liaison and secures coordination with appropriate governmetal departments, agencies, and private organizations;

(3) In coordination with the General Counsel: develops and evaluates legislation, executive orders, and regulations for mobilization;

(4) In coordination with the Special Assistants: considers such over-all problems as stockpiling, civil defense activities, strategic relocation, and scientific and technological developments.

PART 701—DELEGATIONS OF AUTHORITY

The following delegation of authority, which appeared at 12 F. R. 8033, is hereby restated:

§ 701.1 *Delegation to Chairman.* By resolution of the Board adopted on November 13, 1947, the Chairman of the Board is authorized to exercise the functions of the Board as set forth in paragraph three of Executive Order 9905, November 13, 1947. (Secs. 3, 12, 60 Stat. 238, 244, 61 Stat. 495; 5 U. S. C. Sup. 1002; E. O. 9905, Nov. 13, 1947, 12 F. R. 7613)

ARTHUR M. HILL,
Chairman.

[F. R. Doc. 48-1935; Filed, Mar. 4, 1948; 8:58 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 0—ORGANIZATION AND ASSIGNMENT OF WORK

BUREAU ORGANIZATION

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 1st day of March A. D. 1948.

Section 17 of the Interstate Commerce Act, as amended (49 U. S. C. 17) being under consideration:

It is ordered, That the following changes in and additions to the list of district and field offices of the Commission, published in 49 CFR, 1946 Supp., Part 0, as amended in 12 F R. 5012, under § 0.11, should be made:

§ 0.11 *Bureau organization.* * * *
(a) *Bureau of Accounts.* * * *
(2) *Branch offices.* * * *

City and New Address

St. Louis, Mo., 924 New Federal Building.

* * * * *

(f) *Bureau of Inquiry.* * * *
(2) *Field Headquarters.* * * *

City and New Address

Atlanta, Ga., 509 Forsyth Building.
San Francisco, Calif., 107 Federal Office Building, Civic Center.
St. Louis 1, Mo., 1006 U. S. Courthouse and Customs Building.

* * * * *

(h) *Bureau of Locomotive Inspection.* * * *
(2) *District offices.* * * *

City and New Address

Albany, N. Y., 317 New Post Office Building.
Fargo, N. Dak., 210 Ninth Street North.
Oklahoma City, Okla., 524 Post Office Building.
Portland 5, Oreg., 232 U. S. Courthouse.
Shreveport, La., 427 Post Office Building.

* * * * *

(i) *Bureau of Motor Carriers.* * * *
(3) *District Offices; location of Directors and Supervisors.*

District No. and New Address

2. 1103 Chimes Building, Syracuse, N. Y.
12. 614 Federal Building, Houston, Tex.
12. U. S. Terminal Annex Building, P. O. Box 6095, Dallas, Tex.
12. 627 Texas & Pacific Building, Fort Worth, Tex.
7. Delete: Jackson, Miss.

* * * * *

(k) *Bureau of Safety.* * * *
(2) *Field headquarters.* * * *
(ii) * * *

Delete:

San Antonio, Tex.

Add:

Richmond, Va., Tampa, Fla., and Fort Worth, Tex.

* * * * *

(l) *Bureau of Service.* * * *
(3) *District Offices.* * * *

City and New Address

Washington, D. C., 5402 Interstate Commerce Commission Building.
New Orleans, La., 634 Federal Office Building.
Portland, Oreg., 233 Post Office Building.

* * * * *

(o) *Bureau of Valuation.* * * *
(2) *Field headquarters*—(i) *Land appraisers.* * * *

City and New Address

Boston, Mass., 1700 Federal Building.

(ii) *Auditors.* * * *

City and New Address

Chicago, Ill., 338 U. S. Courthouse.

* * * * *

(p) *Bureau of Water Carriers and Freight Forwarders.* * * *
(2) District Supervisors. * * *

Delete "Civic Center" from the San Francisco address and add "Zone 2," and change the Chicago zone from "11" to "7," so that these addresses will read:

San Francisco 2, Calif., 107 Federal Office Building.
Chicago 7, Ill., 1122 Main Post Office Building.

Notice of this order shall be given to the general public by depositing a copy hereof in the office of the Secretary of the Commission at Washington, D. C., and by filing with the Director of the Division of the Federal Register.

(24 Stat. 385, 25 Stat. 861, 40 Stat. 270, 41 Stat. 492, 493, 47 Stat. 1368, 54 Stat. 913; 49 U. S. C. 17)

By the Commission.

[SEAL] W P BARTEL,
Secretary.

[F. R. Doc. 48-1959; Filed, Mar. 4, 1948; 8:59 a. m.]

PART 0—ORGANIZATION AND ASSIGNMENT OF WORK

BUREAU ORGANIZATION

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 1st day of March A. D. 1948.

Section 17 of the Interstate Commerce Act, as amended (49 U. S. C. 17), being under consideration:

It is ordered, That the following changes shall be made in § 0.11, *Bureau Organization* (49 CFR, 1946 Supp.)

1. Change (a), *Bureau of Accounts,* to read as follows:

(a) *Bureau of Accounts and Cost Finding*—(1) *Functions.* Through this bureau the Commission administers its systems of uniform accounts for carriers and companies subject to the Interstate Commerce Act. The bureau enforces the regulations adopted and supervises

the preparation of accounting reports. It deals with accounting problems submitted by carriers and shippers concerning changes in the accounting systems made necessary by changes in conditions.

2. Change (a) (2) *Branch offices,* to (a) (3) *Branch Offices,* and insert the following before that paragraph:

(2) *Section of Cost Finding.* This section is engaged in the preparation of studies and analyses of the costs of transportation for the various types of carriers subject to the Commission's jurisdiction and participates in numerous rate cases before the Commission involving such costs.

3. Delete paragraph (i) (2) (i) which reads as follows:

(i) *Section of Accounts.* This section performs duties relating to the administration of section 220 of the act (49 U. S. C. 320) and other matters pertaining to the keeping of accounts and the reports pertaining thereto by motor carriers, brokers, and others, the preservation of records by motor carriers, brokers and others, and the issuance of passes.

4. Delete paragraph (n) (2) (vi) which reads as follows:

(vi) *Cost Section.* This section is engaged in the preparation of studies and analyses of the costs of transportation for the various types of carriers subject to the Commission's jurisdiction and participates in numerous rate cases before the Commission involving such costs.

Effective date. The foregoing amendments shall become effective March 7, 1948.

Notice of this order shall be given to the general public by depositing a copy hereof in the Office of the Secretary of the Commission at Washington, D. C., and by filing with the Director of the Division of the Federal Register.

(24 Stat. 385, 25 Stat. 861, 40 Stat. 270, 41 Stat. 492, 493, 47 Stat. 1368, 54 Stat. 913; 49 U. S. C. 17)

By the Commission.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 48-1958; Filed, Mar. 4, 1948; 8:59 a. m.]

Chapter II—Office of Defense Transportation

PART 500—CONSERVATION OF RAIL EQUIPMENT

CARLOAD FREIGHT TRAFFIC

CROSS REFERENCE: For an exception to the provisions of § 500.72, see Part 520 of this chapter, *infra.*

[Special Direction ODT 18A-3, Amdt. 2]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

CARLOAD FREIGHT TRAFFIC

Pursuant to the provisions of § 500.73 of General Order ODT 18A, Revised, as amended, Special Direction ODT 18A-3, as amended (8 F. R. 14485; 9 F. R. 4403) is hereby further amended by striking the proviso appearing in paragraph (d) thereof and by adding the following paragraph (e)

(e) The provisions of this special direction shall not apply to carload freight moving first by water on the high seas and thence by rail, or to carload freight moving first by water exclusively within the confines of a single harbor and thence by rail.

This Amendment 2 to Special Direction 18A-3 shall become effective March 4, 1948.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, 60 Stat. 345, 61 Stat. 34, 321, Pub. Law 395, 80th Cong., 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F. R. 5641, E. O. 9919, Jan. 3, 1948, 13 F. R. 59; General Order ODT 18A, Revised, as amended, 11 F. R. 8229, 8829, 10606, 13320, 14172, 12 F. R. 1034, 2386)

Issued at Washington, D. C., this 1st day of March 1948.

A. H. GASS, *Director Railway Transport Department, Office of Defense Transportation.*

[F. R. Doc. 48-1956; Filed, Mar. 4, 1948; 8:59 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR, Part 11]

MIGRATORY BIRDS AND GAME MAMMALS

NOTICE OF PROPOSED RULE MAKING

Pursuant to section 4 (a) of the Administrative Procedure Act, approved June 11, 1946 (Public Law 404—79th Cong.) the authority contained in section 3 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat., 755, 16 U. S. C. 704) as amended, and the authority contained in regulation 9 of the Migratory Bird Treaty Act Regulations approved by Proclamation No. 2616 of July 27, 1944 (19 F. R. 9873) as amended by Proclamation No. 2739 of July 31, 1947 (12 F. R. 5269) notice is hereby given that the Secretary of the Interior intends to take the following action:

1. Amend § 1.53 (7 F. R. 1652) relating to special regulations for California by deleting from the title and from the body thereof all references to blackbirds.

2. Revoke the order of the Secretary of the Interior dated February 13, 1942 entitled "Order permitting and governing the shooting of certain blackbirds and boat-tailed grackles when found injurious to agricultural crops or other interests" (7 F. R. 1652), and designated "§ 1.51"

3. Issue a new order in lieu of such revoked order to be designated "§ 1.51", which, to the extent permitted by applicable state laws will permit the killing of yellow-headed, red-winged, bi-colored red-winged, tri-colored red-winged and Brewer's blackbirds, and all grackles, when found committing or about to commit serious depredations upon any agricultural crop or ornamental or shade trees. The sale of birds killed under authority of such order and of their plumage will be prohibited.

The foregoing order is to be effective June 15, 1948 and to continue in effect thereafter until further notice.

Interested persons are hereby given an opportunity to participate in the preparation of such order by submitting their views, data, or arguments in writing to Albert M. Day, Director, Fish and Wildlife Service, Washington 25, D. C. on or before May 15, 1948.

WILLIAM E. WARNE, *Assistant Secretary of the Interior.*

FEBRUARY 27, 1948.

[F. R. Doc. 48-1937; Filed, Mar. 4, 1948; 8:48 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

DIXIE STOCKYARDS CO., INC., POSTING OF STOCKYARDS

NOTICE OF PROPOSED RULE MAKING

The Secretary of Agriculture has information that the Dixie Stockyards Company, Inc., at Meridian, Mississippi, is a stockyard as defined by section 302 of the Packers and Stockyards Act, 1921 (7 U. S. C. 202), and should be made subject to the provisions of that act.

Therefore, notice is hereby given that the Secretary of Agriculture proposes to issue a rule designating the stockyard named above as a posted stockyard subject to the provisions of the Packers and Stockyards Act, 1921 (7 U. S. C. 181 et seq.), as is provided in section 302 of that act. Any interested person who desires to do so may submit, within 15 days after the publication of this notice, any data, views, or argument, in writing, on the proposed rule to the Director of the Livestock Branch, Production and Marketing Administration, United States Depart-

ment of Agriculture, Washington 25, D. C.

Done at Washington, D. C., this 1st day of March 1948.

[SEAL] H. E. REED,
Director, Livestock Branch, Production and Marketing Administration.

[F R. Doc. 48-1987; Filed, Mar. 4, 1948; 8:59 a. m.]

[7 CFR, Part 944]

HANDLING OF MILK IN QUAD CITIES MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND TO PROPOSED ORDER

Pursuant to the rules of practice and procedure governing proceedings to formulate marketing agreements and orders (7 CFR, Supps. 900.1 et seq., 11 F. R. 7737; 12 F. R. 1159, 4904) notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed marketing agreement and a proposed order, as amended, regulating the handling of milk in the Quad Cities marketing area. Interested parties may file written exceptions to this recommended decision with the Hearing Clerk, Room 1844, South Building, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 10th day after publication of this recommended decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The hearing on the record of which the proposed marketing agreement and the proposed order, as amended, were formulated was conducted at Rock Island, Illinois, on November 20-21, 1947, after the issuance of notice on November 12, 1947 (12 F R. 7633)

Certain of the material issues on the record were of an emergency nature and demanded immediate action. A decision with respect to these issues was filed by the Secretary on December 19, 1947 (12 F R. 8777) and the order, as amended, was further amended in these respects, effective January 1, 1948 (12 F. R. 8805)

The material issues on the record remaining for decision relate to (1) a redefinition of certain terms, (2) a restatement of the powers and duties of the market administrator, (3) a revision of the classes of utilization, (4) a change in the method of accounting for milk, (5) a revision of the class prices and the incorporation of class butterfat differentials to handlers, (6) an increase in the amount of the deduction for marketing services, and (7) a general revision of the order to facilitate its administration and clarify its terminology.

Findings and conclusions. The following findings and conclusions on these issues are based upon the evidence introduced at the hearing and the record pertaining thereto.

1. The evidence indicates that in the interest of clarity some of the existing terms should be redefined and several additional terms should be defined.

Since the office of War Food Administrator has been abolished and the administration of the Agricultural Marketing Agreement Act has been restored to the Secretary of Agriculture the term, "War Food Administrator," should be stricken from the order and the term, "Secretary" substituted in its place.

The term, "handler" should be restricted to include only (a) the operators of plants from which milk is disposed of on wholesale and retail routes within the marketing area and (b) cooperative associations with respect to members whose milk is received by a handler described above or which is caused by the association to be diverted from a handler's plant to the plant of a non-handler. The term, "producer" should be restricted to include only those persons who produce milk which is received at the plant of a handler or which is caused by a cooperative association to be diverted from such a plant to a plant of a non-handler. These definitions would not affect the scope of the order as presently applied, but would remove the ambiguity inherent in the present definitions. The term, "emergency milk" should be redefined to apply only to milk permitted to be labelled "Grade A."

The terms, "Department of Agriculture," "Grade A milk," "producer milk," and "other source milk" should be defined. While the use of these terms would not affect the application of the order to any person or circumstance, it would tend to provide greater clarity and would facilitate drafting the subsequent substantive provisions of the order.

2. The powers and duties of the market administrator should be redefined.

The present order contains only 3 of the 4 powers which may be conferred upon the market administrator under the act. It appears that the fourth power—that of recommending to the Secretary amendments to the order—should also be stated. While there is little doubt that the market administrator has this authority regardless of whether it is specifically set out in the order; it seems reasonable to enumerate in the order those powers which are specified in the act.

It is also recommended that the miscellaneous duties of the market administrator in connection with the operation of the order should, as far as possible, be set forth in the same section of the order. Therefore several of the duties of the market administrator which are currently enumerated in different sections of the order have been grouped together under the general heading of "duties of the market administrator." We are recommending the addition of one further duty to those listed in the present order, that of notifying a cooperative association immediately of any discrepancy in receipts or utilization of milk between the reports filed by the cooperative association and by the handler to whom it caused milk to be delivered. At the present time such differences are not resolved until the market administrator has completed his audits of handler records for the delivery period in question. It is felt that if such discrepancies are called to the attention of the parties involved before the pool is computed, many of the differences can be immediately reconciled. This should result in a substantial reduction in the number of post-audit adjustments.

3. It appears that some changes should be made in the classes of utilization as now defined. The evidence indicates that Class I and II should contain only those products which are required under the applicable health regulations to be made from milk which meets the requirements for milk for fluid consumption. Since cottage cheese need not be made from such milk it appears that cottage cheese should be reclassified from Class II to Class III. The other important change in classification relates to shrinkage. At the present time handlers are permitted a shrinkage allowance in Class IV up to 3 percent of the milk equivalent of their receipts from producers. This allowance places the handler who receives other source milk at a disadvantage. We are recommending that shrinkage be prorated between receipts of producer milk and emergency milk and receipts of other source milk. Handlers would then be granted a Class IV utilization on all the shrinkage allocated to other source milk, and on that portion allocated to producer milk and emergency milk up to 2 percent of their receipts of such milk. Any shrinkage of producer milk and emergency milk in excess of 2 percent of receipts would, as under the present order, be classified as Class I. This proposed allocation of shrinkage is reasonable and would eliminate any inequities resulting from the present procedure. The evidence in the record indicates that the average shrinkage for the entire market during the period July 1946 to October 1947 amounted to slightly less than 2 percent of receipts. Therefore its appears that the proposed allowance of 2 percent is ample.

4. It is proposed that the existing method of accounting for milk be changed. Under the present plan milk is accounted for in Class I on a volume basis and in the other classes on the milk equivalent of the butterfat contained therein. If the sum of the resulting amounts varies from the pounds of milk received an adjustment is made in Class IV This method is unsatisfactory for two reasons. Minor inequities in costs between handlers may arise because of differences in the butterfat content of the milk received from producers or in the test of the products sold. Again because the amounts of milk shown in each class are, except in the case of Class I, theoretical and not actual, it is impossible to obtain an accurate picture of the utilization of skim milk and butterfat in the market.

To remedy these faults it is proposed that skim milk and butterfat be ac-

counted for separately and on a volume basis in each class. This method of accounting in conjunction with the revised pricing procedures which have been proposed, will eliminate any inequities that may exist. The reporting of actual volumes of skim milk and butterfat in each class will provide an exact picture of the utilization on the market, a highly important point from a statistical viewpoint. We believe that this method of accounting will also lessen somewhat the bookkeeping problems of both the market administrator and the handlers.

5. It appears that the Class I and Class II prices for Grade A milk should be increased and that greater seasonality of prices should be reflected in both Grade A and non Grade A prices.

It is obvious from the record that the existing differential in price between Grade A and non Grade A milk has been insufficient to induce an adequate supply of Grade A milk. The city of Davenport, Iowa has had a Grade A ordinance since 1942. There has never been sufficient Grade A milk produced during the fall months to fill the requirements of the handlers operating in the Davenport, Iowa, portion of the marketing area. With the recent adoption of a similar ordinance by the city of Rock Island, Illinois, it appears that virtually the entire supply of milk for the marketing area must be of Grade A quality since all but 2 or 3 small handlers distribute milk in either Davenport or Rock Island.

Producers indicate that a difference of approximately 60 cents per hundredweight between the uniform prices for Grade A and non Grade A milk would be necessary to bring about the desired shift to the production of Grade A milk. Handlers apparently agree that this figure is approximately correct.

It is estimated that the recent amendment to the order which provides for separate pooling of Grade A and non Grade A milk will result in a difference of approximately 50 cents between the uniform prices computed for Grade A and non Grade A milk. This compares with an apparent difference of approximately 20 cents which existed before the amendment became effective. Since the two cooperative associations which market the milk of approximately 95 percent of the producers, made a deduction of 7 cents from all base milk and paid this amount to Grade A producers in the form of an additional premium it is probable that with respect to most of the market, the difference between returns from Grade A and non Grade A milk amounted to more than 30 cents per hundredweight.

The remainder of the 60 cents needed must come through a revision of Class prices. It is proposed that the Class I premium over the basic price be increased from 90 cents to an average of 97.5 cents per hundredweight on Grade A milk and that the premium on non Grade A milk be decreased from 70 cents to an average of 62.5 cents per hundredweight. In order to improve the seasonal production pattern and encourage fall production it is proposed that the amount of the premium vary seasonally. The Grade A premium would be 90 cents during January, February, and March; 70 cents during April, May and June; and $1.15 during the remaining months. The premium for non Grade A milk would be 55 cents during January, February and March; 35 cents during April, May, and June; and 80 cents during the remaining months.

It is proposed that the Class II premium over the basic price be increased from 45 cents to an average of 82.5 cents per hundredweight on Grade A milk, and from 25 cents to 47.5 cents on non Grade A milk. Because of the proposed change in the method of accounting and the use of class butterfat differentials, handlers' costs would not be increased as much as indicated. It is estimated that these Class II prices, based on present butter values, would actually result in an increase of approximately 15 cents per hundredweight in the cost of milk used to produce cream and by-products during the last six months of the year. The increase during the first three months of the year would amount to approximately 9 cents per hundredweight, while during the second three months the cost to handlers would be approximately the same as under the present order.

We believe that the proposed schedules of Class I and Class II prices for Grade A milk are the minimum amounts which will be required to induce a sufficient supply of Grade A milk to meet the needs of the market. It must be realized also that it is necessary to maintain at least a portion of the non Grade A milk during the period of transition, since handlers lacking a full supply of Grade A milk are required to rely on it for a large percentage of their needs. We believe that the proposed prices for non Grade A milk will maintain under present conditions the amount necessary to fill out the market requirements. It is improbable that the proposed prices for non Grade A milk will reduce the average yearly price received for such milk. The proposed schedule provides for lower Class I and Class II prices during the spring months when very little non Grade A milk will be used in Class I and Class II. During the period when non Grade A milk will be needed on the market for Class I and Class II uses it has been priced relatively higher. It is believed that the average yearly return under present conditions will be at least as high as it would be with the present premiums of 70 cents and 25 cents respectively for Class I and Class II non Grade A milk during the entire year. Of course, as production of Grade A milk increases and large percentages of non Grade A milk fall into Classes III and IV, the uniform price for non Grade A milk will decline. It may be necessary to review the entire question of Class prices if the proposed differentials fail to induce a sufficient supply of Grade A milk or if Grade A production reaches a point where it will supply the market's needs.

It is also proposed that the basic price to be used in determining Class I and Class II prices be based on the value of manufactured products during the preceding delivery period rather than the current delivery period. Handlers contend that under the present procedure they are ignorant of the price to be paid producers for milk until after they have resold the milk. They feel that they should know what the product will cost them before they sell it. We are recommending that the suggested change be made.

We are also recommending some slight changes in the Class III formulae. It is proposed that there be dropped from the list of condenseries whose prices are used in determining the Class III price, the plant operated by the Pet Milk Company at Shullsburg, Wisconsin, and the plant operated by the Dean Milk Company at Pecatonica, Illinois. Handlers stated that these plants are located a great distance from the marketing area and do not reflect conditions in the Quad Cities production area to the extent that the remaining plants do. Producers did not oppose the dropping of these plants.

It is also proposed that the price of "Twins" at Plymouth be deleted from the alternative formula used in determining the Class III price. The present order provides for the use of the Plymouth quotation, if available, and the use of the price of "Twins" at Chicago if the Plymouth price is not quoted. For the past several months the Chicago quotation has been used. When quotations are available for Plymouth they average substantially under the Chicago price. Thus it would be quite possible for there to be a substantial change in the Class III price without any actual change in cheese prices depending on whether "Twins" are quoted on the Plymouth Exchange during the delivery period. In order to remove this uncertainty and because prices are regularly reported for Chicago we feel that the Class III price should be based on the Chicago price. It is also proposed that the Class III price should never be lower than the Class IV price. Both producers and handlers agree that this provision is proper.

It has also been proposed that the Class IV pricing formula be modified. The cooperative associations testified that the present formula was too high to permit the recovery of manufacturing costs. They presented evidence to show that the price received for casein at their plants was approximately 10 cents per pound less than the price quotation used in computing the Class IV price. Accordingly they proposed that 14 cents, instead of 4 cents, be deducted from the casein price in making this computation. This proposal appears reasonable on the basis of the hearing record and we are recommending its adoption.

Under the proposed method of accounting it is necessary that class butterfat differentials be incorporated in the order. It is proposed that the Class I and Class II butterfat differentials be fixed at 1.4 times the market price of 92-score butter in the case of Grade A milk and 1.35 times the price of butter in the case of non Grade A milk. In Classes III and IV the butterfat differentials would be fixed at 1.2 times the price of butter for both Grade A and non Grade A milk. The butterfat differentials are intended to reflect the approximate value of butterfat in milk when used in the various classes. In effect the

use of butterfat differentials in each class approximates separate pricing of the butterfat and skim milk in milk, the price of skim milk being equal to the difference between the class price and the butterfat value.

The Class I differentials would have little actual effect on handlers' costs since the average test of the milk sold as Class I approximates 3.5 percent butterfat. However, if handlers should distribute milk containing a higher percentage of butterfat, producers should receive for the extra butterfat the same value that they would receive were the butterfat used to produce cream.

The Class II differentials reflect the approximate values of Grade A and non Grade A butterfat when used to produce cream. As pointed out above the use of these differentials would result in a slight increase in the cost of milk used to produce cream and by-products.

The differentials in Class III and Class IV reflect the value of a pound of butterfat when made into butter. This is generally recognized as a reasonable basis for pricing butterfat which is used to produce butter, cheese, and other manufactured dairy products.

6. The deduction for marketing services should be increased. The evidence shows that the expenditures by the market administrator during recent months for the rendering of marketing services to non-member producers have exceeded his income. If producers are to continue to receive adequate service it is necessary that the amount of the deduction be increased to an amount sufficient to cover the cost of these services. It appears that a deduction of 6 cents per hundredweight will be needed and we have proposed that this amount be fixed in the order.

7. Several minor changes have been made in other provisions of the order to facilitate its administration or to clarify the intent of some of the provisions. For the most part these changes do not affect the application of the order and merit no comment except as set forth below.

One of the more important of the administrative changes has been the provision that the market administrator add back in the pool computation each month only half of the reserve in the producer-settlement fund instead of the entire reserve. In the past there have been times when the reserve in the producer-settlement fund was insufficient to meet large audit adjustments. In order to eliminate the possibility of this situation occurring again it is recommended that a larger reserve be maintained. The effect of adding back only half the fund will be a reserve approximately twice that carried at the present time.

Other changes worthy of note are the setting up of a separate section to provide for adjustment of accounts. The adjustment provisions are now a part of the general section on payments. It is felt that they are of sufficient importance to be set out as a separate section.

It is also proposed that there be added to the order a section on separability of provisions to provide that the whole order should not fail if one provision of it were declared invalid or if its application to a particular person or circumstance should be held invalid. Similar provisions are a part of most regulatory documents and we feel that the parties at interest here should be protected in the event that some minor provision of the order should be invalidated.

The other changes which have been made are chiefly in terminology or in the arrangement of the provisions. All are substantiated by the record and appear to merit no further comment.

Rulings on proposed findings and conclusions. Briefs were filed on behalf of the Illinois-Iowa Milk Producers Association, Inc., and Quality Milk Association, and on behalf of the Quad City Association of Milk Dealers and Sturtevant Dairy Company, all handlers under the Quad Cities order. The briefs contain statements of fact, conclusions and arguments with respect to the provisions of the proposed amendments. Every point covered in the briefs was carefully considered along with the evidence in the record in making the findings and reaching the conclusions hereinbefore set forth. To the extent that such proposed findings and conclusions are inconsistent with the proposed findings and conclusions contained herein the requests to make such findings or to reach such conclusions are denied on the basis of the facts found and stated in connection with the conclusions in the recommended decision.

Recommended marketing agreement and order The following order is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this recommended decision because the regulatory provisions thereof would be the same as those contained in the recommended order.

§ 944.1 *Definitions.* (a) "Act" means Public Act No. 10, 73d Congress, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.)

(b) "Secretary" means the Secretary of Agriculture or such other officer or employee of the United States as may be authorized to exercise the powers and to perform the duties of the said Secretary of Agriculture.

(c) "Quad Cities marketing area," hereinafter called the "marketing area," means the territory lying within the corporate limits of the cities of Davenport and Bettendorf, Iowa, and Rock Island, Moline, East Moline and Silvis, Illinois; together with the territory lying within the following townships: Davenport, Rockingham, and Pleasant Valley in Scott County, Iowa; and South Moline, Moline, Blackhawk, Coal Valley, Hampton, and South Rock Island in Rock Island County, Illinois.

(d) "Department of Agriculture" means the United States Department of Agriculture or such other Federal Agency as may be authorized to perform the price reporting functions of the United States Department of Agriculture.

(e) "Person" means any individual, partnership, corporation, association or any other business unit.

(f) "Delivery period" means the calendar month or the total portion thereof during which this order is in effect.

(g) "Cooperative association" means any cooperative marketing association of producers which the Secretary determines: (1) Is qualified under the provisions of the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act"; (2) has full authority in the sale of milk of its members; and (3) is engaged in making collective sales of or marketing milk or its products for its members.

(h) "Producer" means any person irrespective or whether such person is also a handler, who produces milk which (1) is received at a plant from which milk is disposed of as Class I milk on wholesale or retail routes (including plant stores) with the marketing area, or (2) is caused by a cooperative association to be diverted from a plant described in subparagraph (1) of this paragraph to a plant from which no milk is disposed of as Class I milk on wholesale or retail routes (including plant stores) within the marketing area. This definition shall not include a person who produces milk which is received at a plant operated by a handler subject to another Federal marketing order who is partially exempted from the provisions of this order pursuant to § 944.6 (b)

(i) "Handler" means (1) any person with respect to all milk received at a plant operated by him, from which milk is disposed of as Class I milk on wholesale or retail routes (including plant stores) within the marketing area, or (2) a cooperative association with respect to the milk of any producer which it causes to be delivered to a plant described in subparagraph (1) of this paragraph, or which it causes to be diverted from such a plant to a plant from which no milk is disposed of as Class I milk on wholesale or retail routes (including plant stores) within the marketing area.

(j) "Producer-handler" means any person who is both a producer and a handler and who receives no milk directly from the farms of other producers: *Provided*: That the maintenance, care and management of the dairy animals and other resources necessary to produce the milk, and the processing, packaging, and distribution of the milk are the personal enterprise and the personal risk of such person.

(k) "Producer milk" means all skim milk and butterfat which is produced by a producer, other than a producer-handler, and which is received by a handler either directly from producers or from other handlers.

(l) "Grade A milk" means producer milk which is produced in conformity with the Grade A quality requirements of the milk ordinance of any of the several municipalities in the marketing area or the Grade A Milk and Grade A Milk Products Law of the State of Illinois.

(m) "Emergency milk" means milk which is permitted by the health authorities of any of the several municipalities in the marketing area to be labeled "Grade A" and which is received by a handler from sources other than producers or other handlers during any de-

livery period in which the market administrator determines that the supply of Grade A milk available to such handler is insufficient to fulfill his Class I and Class II requirements for Grade A milk.

(n) "Other source milk" means all skim milk and butterfat except that contained in producer milk, in emergency milk, and in nonfluid milk products disposed of in the form in which received without further processing or packaging.

§ 944.2 *Marketing Administrator*—(a) *Designation.* The agency for the administration hereof shall be a market administrator who shall be a person selected by the Secretary. Such person shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

(b) *Powers.* The market administrator shall:

(1) Administer the terms and provisions hereof;

(2) Make rules and regulations to effectuate the terms and provisions hereof;

(3) Receive, investigate, and report to the Secretary complaints of violations of the terms and provisions hereof; and

(4) Recommend to the Secretary amendments hereto.

(c) *Duties.* The market administrator shall perform all duties necessary to administer the terms and provisions hereof, including, but not limited to the following:

(1) Within 30 days following the date upon which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(2) Employ and fix the compensation of such persons as may be necessary to enable him to administer the terms and provisions hereof;

(3) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who handles funds entrusted to the market administrator;

(4) Pay, out of the funds provided by § 944.11, the cost of his bond and of the bonds of his employees, his own compensation, and all other expenses except those incurred under § 944.10, necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(5) Keep such books and records as will clearly reflect the transactions provided for herein, and, upon request by the Secretary surrender the same to such person as the Secretary may designate;

(6) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(7) Publicly announce unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of any person who within 10 days after the date upon which he is required to perform such acts, has not made (i) reports pursuant to § 944.3 or (ii) payments pursuant to §§ 944.8, 944.9, 944.10 and 944.11;

(8) On or before the 10th day after the end of each delivery period, report to each cooperative association the amount and the classification of milk caused to be delivered by such cooperative association to any handler, if such amount or classification reported by the handler differs from that reported by the cooperative association;

(9) Audit each handler's records and payments by inspection of such handler's records and the records of any other person upon whose utilization the classification of skim milk and butterfat for such handler depends;

(10) Publicly announce, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the prices determined for each delivery period as follows:

(i) On or before the 5th day of each delivery period, (*a*) the minimum prices for Class I milk and Class II milk computed pursuant to § 944.5 (a) (1) and (2) for the current delivery period and the butterfat differentials computed pursuant to § 944.5 (b) (1) and (2) for the current delivery period, and (*b*) the minimum prices for Class III milk and Class IV milk computed pursuant to § 944.5 (a) (3) and (4) for the previous delivery period, and the butterfat differentials computed pursuant to § 944.5 (b) (3) and (4) for the previous delivery period, and

(ii) On or before the 10th day after the end of each delivery period the uniform prices computed pursuant to § 944.7 (b), and the butterfat differential computed pursuant to § 944.8 (b), and

(11) Prepare and disseminate to the public such statistics and information as he deems advisable and as do not reveal confidential information.

§ 944.3 *Reports, records, and facilities*—(a) *Delivery period reports of receipts and utilization.* On or before the 5th day after the end of each delivery period each handler, except a producer-handler, shall report to the market administrator in the detail and on forms prescribed by the market administrator:

(1) The quantities of skim milk and the quantities of butterfat contained in (or used in the production of) all receipts within such delivery period of (i) producer milk, (ii) emergency milk, (iii) skim milk and butterfat in any form from other handlers, and (iv) other source milk; and the sources thereof;

(2) The utilization of all receipts required to be reported pursuant to subparagraph (1) of this paragraph; and

(3) Such other information with respect to all such receipts and utilization as the market administrator may prescribe.

(b) *Other reports.* Each producer-handler shall make reports to the market administrator at such time and in such manner as the market administrator may prescribe.

(c) *Records and facilities.* Each handler shall maintain and make available to the market administrator or to his representative during the usual hours of business, such accounts and records of his operations and such facilities as are necessary for the market administrator to verify or to establish the correct data with respect to (1) the receipts and utilization, in whatever form, of all skim milk and butterfat received, including milk products received and disposed of in the same form; (2) the weights and tests for butterfat and for other content of all skim milk and butterfat handled; (3) payments to producers and cooperative associations; and (4) the pounds of skim milk and butterfat contained in or represented by all milk, skim milk, cream, and each milk product on hand at the beginning and at the end of each delivery period.

§ 944.4 *Classification*—(a) *Skim milk and butterfat to be classified.* All skim milk and butterfat received during the delivery period by a handler from producers or from other handlers, or as emergency milk or other source milk shall be classified by the market administrator pursuant to the following provisions of this section:

(b) *Classes of utilization.* Subject to the conditions set forth in paragraphs (d) and (e) of this section, the classes of utilization shall be as follows:

(1) Class I milk shall be all skim milk and butterfat disposed of in fluid form for consumption as milk or skim milk and all skim milk and butterfat not specifically accounted for under subparagraphs (2), (3) and (4) of this paragraph.

(2) Class II milk shall be all skim milk and butterfat disposed of in fluid form for consumption as cream (including any cream product in fluid form containing 6 percent or more of butterfat) flavored milk, flavored milk drinks and buttermilk.

(3) Class III milk shall be all skim milk and butterfat used to produce evaporated milk, condensed milk, ice cream and ice cream mix, cottage cheese, unsalted butter, or any milk or cream product other than those specified in Class II milk or Class IV milk.

(4) Class IV milk shall be all skim milk disposed of as animal feed and all skim milk and butterfat: (i) used to produce salted butter, casein and American type cheddar cheese; (ii) in shrinkage up to 2 percent of receipts from producers and cooperative associations and of emergency milk; and (iii) in shrinkage of other source milk.

(c) *Shrinkage.* The market administrator shall allocate shrinkage over a handler's receipts as follows:

(1) Compute the total shrinkage of skim milk and butterfat for each handler.

(2) Prorate the resulting amounts between the receipts (except those from other handers which are not cooperative associations) of skim milk and butterfat (i) from producers and cooperative associations and emergency milk and (ii) from other sources.

(3) In the case of a handler who receives both Grade A milk and non Grade A milk, the amount of shrinkage determined pursuant to subparagraph (2) (i) of this paragraph shall be further pro-

rated between (i) Grade A milk and emergency milk and (ii) non Grade A producer milk.

(d) *Responsibility of handlers and reclassification of milk.* (1) All skim milk and butterfat received by a handler shall be Class I milk, unless the handler who first receives such skim milk or butterfat can prove to the market administrator that it should be classified otherwise.

(2) Any skim milk or butterfat (except that transferred to a producer-handler) shall be reclassified if verification by the market administrator discloses utilization in a class other than that in which it was originally classified.

(e) *Transfers.* Skim milk or butterfat disposed of by a handler either by transfer or diversion shall be classified:

(1) As Class I milk if transferred or diverted in the form of milk or skim milk and as Class II milk if so disposed of in the form of cream to another handler, except a producer-handler, unless utilization in another class is mutually indicated in writing to the market administrator by both handlers on or before the 5th day after the end of the delivery period within which such transfer or diversion occurred, but in no event shall the amount classified in any class exceed the total use in such class by the transferee handler: *Provided,* That if either or both handlers have received other source milk such milk so disposed of shall be classified at both plants so as to return the highest class utilization to producer milk.

(2) As Class I milk if transferred to a producer-handler in the form of milk or skim milk and as Class II milk if transferred in the form of cream.

(3) As Class I milk if transferred or diverted in the form of milk or skim milk, and as Class II if transferred in the form of cream to a non-handler's plant unless (i) the handler claims other classification on the basis of utilization mutually indicated in writing to the market administrator by both the handler and non-handler on or before the 5th day after the end of the delivery period within which such transfer or diversion occurred, (ii) the non-handler maintains books and records showing the utilization of all skim milk and butterfat at his plant which are made available if requested by the market administrator for the purpose of verification, and (iii) such non-handler's plant had actually used not less then an equivalent amount of skim milk and butterfat in the use indicated in such statement: *Provided,* That if upon inspection of his records such non-handler's plant had not actually used an equivalent amount of skim milk and butterfat in such indicated utilization, the remaining pounds shall be classified in series beginning with the next higher priced classification in which such non-handler had utilization.

(f) *Receipts from a cooperative association.* Skim milk and butterfat caused to be delivered from a producer to any other handler by a cooperative association shall be ratably apportioned over the receiving handler's total utilization of milk remaining after the subtraction of other source milk and receipts from other handlers which are not cooperative associations. If both Grade A and non Grade A milk have been caused to be so delivered they shall be apportioned separately over the uses of each type of milk.

(g) *Computation of skim milk and butterfat in each class.* For each delivery period the market administrator shall correct mathematical and other obvious errors in the delivery period report submitted by each handler and shall compute the total pounds of skim milk and butterfat, respectively, in Class I milk, Class II milk, Class III milk, and Class IV milk for such handler.

(h) *Allocation of skim milk and butterfat classified.* After computing the classification of all skim milk and butterfat received by a handler pursuant to paragraph (g) of this section, the market administrator shall determine the classification of milk received from producers as follows:

(1) Skim milk shall be allocated in the following manner:

(i) Subtract from the total pounds of skim milk in Class IV the pounds of skim milk pursuant to paragraph (b) (4) (ii) of this section.

(ii) Subtract from the remaining pounds of skim milk in each class, in series beginning with the lowest priced class in which the handler has use, the pounds of skim milk in other source milk.

(iii) Allocate the remaining skim milk contained in Grade A milk and emergency milk to the highest priced classifications in which the handler has use, and allocate the remaining skim milk contained in non Grade A milk to the lowest priced use classifications remaining.

(iv) Subtract from the results obtained in subdivision (iii) of this subparagraph, the pounds of Grade A and non Grade A skim milk, respectively, received from other handlers which are not cooperative associations in accordance with its classification as determined pursuant to paragraph (e) (1) of this section.

(v) Add to the remaining pounds of skim milk in Class IV the amounts subtracted pursuant to subdivision (i) of this subparagraph.

(vi) Subtract pro rata from the remaining pounds of Grade A and emergency skim milk in each class the pounds of skim milk in emergency milk received by the handler.

(vii) Subtract pro rata from the remaining pounds of Grade A and non Grade A skim milk in each class the pounds of Grade A and non Grade A skim milk, respectively, caused to be delivered to such handler by a cooperative association.

(viii) If the remaining pounds of skim milk in all classes exceed the pounds of skim milk reported to have been received from producers, an amount equal to the difference shall be ratably apportioned between the Grade A and non Grade A skim milk and the amounts so allocated shall be subtracted respectively in series beginning with the lowest priced uses to which Grade A and non Grade A skim milk have been allocated.

(2) Butterfat shall be allocated in accordance with the same procedures outlined for skim milk in subparagraph (1) of this paragraph.

(3) Determine the weighted average butterfat test of both the Grade A milk and the non Grade A milk received from producers and classified as Class I milk, Class II milk, Class III milk, and Class IV milk, as computed pursuant to subparagraphs (1) and (2) of this paragraph.

§ 944.5 *Minimum prices*—(a) *Class prices.* Subject to the provisions of paragraphs (b) and (c) of this section, the minimum prices per hundredweight to be paid by each handler for milk received at his plant during the delivery period shall be as follows:

(1) *Class I milk.* The price for Class III milk for the previous delivery period plus the following premiums during the delivery periods indicated:

Delivery period	Grade A milk	Non Grade A milk
January, February, March	$0.00	$0.65
April, May, June	.70	.35
July through December	1.15	.80

(2) *Class II milk.* The price for Class III milk for the previous delivery period plus the following premiums during the delivery period indicated:

Delivery period	Grade A milk	Non Grade A milk
January, February, March	$0.75	$0.40
April, May, June	.55	.20
July through December	1.00	.05

(3) *Class III milk.* The highest of the prices resulting from the computations made pursuant to subparagraph (4) of this paragraph or to subdivision (i) or (ii) of this subparagraph.

(i) The average of the basic or field prices reported to have been paid or to be paid for milk of 3.5 percent butterfat content received from farmers during the period beginning with the 16th day of the previous month and ending with the 15th day of the then current month at the following plants for which prices have been reported to the market administrator or to the Department of Agriculture:

Present Operator of Plant and Location of Plant

Amboy Milk Products Co., Amboy, Ill.
Borden Co., Dixon, Ill.
Borden Co., Sterling, Ill.
Carnation Milk Co., Oregon, Ill.
Carnation Milk Co., Morrison, Ill.
Dean Milk Co., Pearl City, Ill.
United Milk Products, Co., Argo Fay, Ill.

(ii) The price resulting from the following computations:

(*a*) Multiply by 6 the average daily wholesale price per pound of 92-score butter in the Chicago market as reported by the Department of Agriculture during the delivery period;

(*b*) Add an amount equal to 2.4 times the average daily wholesale price per pound of the cheese known as "Twins" in the Chicago market as reported by the Department of Agriculture during the delivery period;

(c) Divide the resulting sum by 7;
(d) Add 30 percent thereof; and
(e) Multiply the resulting sum by 3.5.

(4) *Class IV milk.* The price resulting from the following computation: multiply by 3.5 the average daily wholesale price per pound of 92-score butter in the Chicago market as reported by the Department of Agriculture during the delivery period; add 20 percent thereof; and add any plus amount resulting from the following calculation: subtract 14 cents from the average price per pound of casein and multiply such amount by 2.3. The price per pound of casein to be used shall be the average of the prices for unground casein, f. o. b. manufacturing plants in the Chicago area, as reported by the Department of Agriculture during the delivery period.

(b) *Butterfat differentials to handlers.* If the average butterfat content of the milk disposed of in any class by any handler computed pursuant to § 944.4 (h) is more or less than 3.5 percent there shall be added to the applicable class price computed pursuant to paragraph (a) of this section for each one tenth of 1 percent that the average butterfat content of such milk is above 3.5 percent, or subtracted for each one tenth of 1 percent that the average butterfat content is below 3.5 percent, an amount equal to the applicable butterfat differential computed as follows:

(1) *Class I milk.* Multiply the average price per pound of 92-score butter at wholesale in the Chicago market as reported by the Department of Agriculture during the delivery period preceding that in which the milk was received, by 1.40 in the case of Grade A milk, and by 1.35 in the case of non Grade A milk, and divide the resulting amounts by 10.

(2) *Class II milk.* Multiply the average price per pound of 92-score butter at wholesale in the Chicago market as reported by the Department of Agriculture during the delivery period preceding that in which the milk was received, by 1.40 in the case of Grade A milk, and by 1.35 in the case of non Grade A milk, and divide the resulting amounts by 10.

(3) *Class III milk.* Multiply the average price per pound of 92-score butter at wholesale in the Chicago market as reported by the Department of Agriculture during the delivery period in which the milk was received by 1.20 and divide the resulting amount by 10.

(4) *Class IV milk.* Multiply the average price per pound of 92-score butter at wholesale in the Chicago market as reported by the Department of Agriculture during the delivery period in which the milk was received by 1.20 and divide the resulting amount by 10.

(c) *Emergency price provisions.* (1) Whenever the provisions hereof require the market administrator to use a specific price (or prices) for milk or any milk product for the purpose of determining class prices or for any other purpose the market administrator shall add to the specified price the amount of any subsidy or other similar payment being made by any Federal agency in connection with the milk, or product, associated with the prices specified.

(2) If the specified price which the market administrator is required to use for the purpose of determining class prices or for any other purpose is not reported or published, the market administrator shall use a price determined by the Secretary to be equivalent to or comparable with the price specified.

§ 944.6 *Application of provisions—*(a) *Producer-handlers.* Sections 944.4, 944.5, 944.7, 944.8, 944.9, 944.10, and 944.11 shall not apply to a producer-handler.

(b) *Handlers subject to other federal orders.* In the case of any handler who the Secretary determines disposes of a greater portion of his milk as Class I milk and Class II milk in another marketing area regulated by another milk marketing order issued pursuant to the act, the provisions of this order shall not apply except as follows:

(1) The handler shall, with respect to his total receipts and utilization of skim milk and butterfat, make reports to the market administrator at such time and in such manner as the market administrator may require and allow verification of such reports in accordance with the provisions of § 944.3 (c)

(2) If the price which such handler is required to pay under the other order to which he is subject for skim milk and butterfat which would be classified as Class I milk or Class II milk under this order, is less than the price provided by this order, such handler shall pay to the market administrator for deposit into the producer-settlement fund (with respect to all skim milk and butterfat disposed of as Class I milk or Class II milk within the marketing area) an amount equal to the difference between the value of such milk as computed pursuant to this order and its value as determined pursuant to the other order to which he is subject.

§ 944.7 *Determination of uniform prices—*(a) *Computation of the values of milk received from producers.* The values of the Grade A milk and the non Grade A milk received from producers during each delivery period by each handler shall be sums of money computed separately by the market administrator by multiplying the pounds of milk in each class by the applicable class prices and adding together the resulting amounts: *Provided,* That, if any skim milk has been subtracted pursuant to § 944.4 (h) (1) (viii) or if any butterfat has been similarly subtracted, there shall be added to the above values an amount computed by multiplying the pounds of skim milk and butterfat so subtracted by the applicable class prices.

(b) *Computation of prices.* For each delivery period the market administrator shall compute separately the uniform prices per hundredweight for Grade A milk and non Grade A milk received from producers as follows:

(1) Combine into separate totals the values of Grade A milk and non Grade A milk computed pursuant to paragraph (a) of this section for all handlers who made the reports pursuant to § 944.5 (a) and who made the payments pursuant to § 944.8.

(2) Add to the amounts computed in subparagraph (1) of this paragraph not less than one-half of the cash balances on hand in the producer-settlement funds less the total amounts of contingent obligations to handlers pursuant to § 944.9.

(3) Subtract if the average butterfat content of the milk included in these computations is greater than 3.5 percent, or add, if such average butterfat content is less than 3.5 percent, an amount computed as follows: multiply the amount by which the average butterfat content of such milk varies from 3.5 percent by the butterfat differential computed pursuant to § 944.8 (b), and multiply the result by the total hundredweight of such milk.

(4) Divide the resulting amounts by the total hundredweight of Grade A milk and non Grade A milk, respectively, received from producers and represented by the values included in subparagraph (1) of this paragraph.

(5) Subtract not less than 4 cents nor more than 5 cents from the amounts per hundredweight computed pursuant to subparagraph (4) of this paragraph. The resulting figures shall be the uniform prices for Grade A milk and non Grade A milk, respectively, received from producers.

§ 944.8 *Payment for milk—*(a) *Time and method of payment.* Each handler shall make payment as follows:

(1) On or before the 15th day after the end of the delivery period during which the milk was received, to each producer for milk which was not caused to be delivered to such handler by a cooperative association, at not less than the uniform price computed pursuant to § 944.7 (b) for Grade A milk or non Grade A milk, whichever is applicable.

(2) On or before the 12th day after the end of the delivery period during which the milk was received, to a cooperative association for milk which was caused to be delivered to such handler by such coperative association, at not less than the value of such milk computed by multiplying the pounds of milk allocated to each class pursuant to § 944.4 (h) (1) and (2) by the applicable class prices provided in § 944.5.

(b) *Producer butterfat differential.* In making payments pursuant to paragraph (a) (1) of this section there shall be added to or subtracted from the uniform price per hundredweight for each one-tenth of 1 percent that the average butterfat content of the milk received from any producer is above or below 3.5 percent, an amount computed by adding 20 percent to the average wholesale price per pound of 92-score butter in the Chicago market as reported by the Department of Agriculture during the delivery period, and dividing the resulting sum by 10.

(c) *Producer-settlement funds.* The market administrator shall establish and maintain separate funds known as "producer-settlement funds" for Grade A and non Grade A milk, respectively, into which he shall deposit all payments made by handlers pursuant to paragraph (d) of this section and §§ 944.6 (b) and 944.9, and out of which he shall

make all payments to handlers pursuant to paragraph (e) of this section and § 944.9.

(d) *Payments to the producer-settlement funds.* On or before the 13th day after the end of each delivery period, each handler, including a cooperative association which is a handler, shall pay to the market administrator the amount, if any, by which the value of the milk received by such handler from producers during the delivery period as determined pursuant to § 944.7 (a) is greater than the amount required to be paid producers by such handler pursuant to paragraphs (a) (1) and (b) of this section.

(e) *Payments out of the producer-settlement funds.* On or before the 15th day after the end of each delivery period the market administrator shall pay to each handler, including a cooperative association which is a handler, the amount, if any, by which the value of the milk received by such handler from producers during the delivery period, as determined pursuant to § 944.7 (a) is less than the amount required to be paid producers by such handler pursuant to paragraphs (a) (1) and (b) of this section: *Provided,* That if the balance in the producer-settlement fund is insufficient to make all payments pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds are available. No handler who has not received the balance of such payment from the market administrator shall be considered in violation of paragraph (a) (1) of this section if he reduces his payments to producers by not more than the amount of the reduction in payment from the producer-settlement fund.

§ 944.9 *Adjustment of accounts*— (a) *Errors in payment.* Whenever audit by the market administrator of any handler's reports, books, records, or accounts discloses errors resulting in moneys due (1) the market administrator from such handler, (2) such handler from the market administrator, or (3) any producer or cooperative association from such handler, the market administrator shall promptly notify such handler of any amount so due; and payment thereof shall be made on or before the next date for making payment set forth in the provisions under which such error occurred.

§ 944.10 *Marketing services* — (a) *Marketing service deductions.* Except as set forth in paragraph (b) of this section, each handler, in making payments to producers (other than himself) pursuant to § 944.8 (a) (1) shall make a deduction of 6 cents per hundredweight of milk or such lesser deduction as the Secretary from time to time may prescribe, with respect to the following:

(1) All milk received from producers at a plant not operated by a cooperative association; and

(2) All milk received at a plant operated by a cooperative association from producers who are not members of such cooperative association.

Such deductions shall be paid by the handler to the market administrator on or before the 15th day after the end of each delivery period. Such moneys shall be expended by the market administrator for verification of weights, and tests of milk received from such producers and in providing for market information to such producers; such services to be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) *Marketing service deduction with respect to members of, or producers marketing through, a cooperative association.* In the case of each producer who is a member of, or who has given written authorization for the rendering of marketing services and the taking of a deduction therefor to a cooperative association, which the Secretary has determined is performing the services described in paragraph (a) of this section, each handler, in lieu of the deduction specified under paragraph (a) of this section, shall deduct from the payments made pursuant to § 944.8 (a) (1) the amount per hundredweight authorized by such producer and shall pay such deduction to the cooperative association entitled to receive it on or before the 15th day after the end of such delivery period.

§ 944.11 *Expense of administration.* As his prorata share of the expense of administration hereof each handler shall pay the market administrator, on or before the 15th day after the end of each delivery period, 3 cents per hundredweight or such lesser amount as the Secretary from time to time may prescribe, with respect to all receipts within the delivery period from producers (including such handler's own production) and cooperative association: *Provided,* That a handler which is a cooperative association shall pay such prorata share of expense of administration on only that milk of producers received by such association or caused to be delivered by such association to a plant from which no milk is disposed of in the marketing area.

§ 944.12 *Effective time, suspension or termination, continuing obligations, liquidation*—(a) *Effective time.* The provisions hereof, or of any amendment hereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

(b) *Suspension or termination.* The Secretary shall, whenever he finds that this order, or any provision hereof, obstructs or does not tend to effectuate the declared policy of the act, terminate or suspend the operation of this order or any such provision hereof.

(c) *Continuing obligations.* If, upon the suspension or termination of any or all provisions of this order, there are any obligations hereunder the final accrual or ascertainment of which requires further acts by any person (including the market administrator) such further acts shall be performed notwithstanding such suspension or termination.

(d) *Liquidation.* Upon the suspension or termination of the provisions hereof, except this section, the market administrator, or such other liquidating agent as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated all assets, books, and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidation and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

§ 944.13 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions hereof.

§ 944.14 *Separability of provisions.* If any provision hereof or its application to any person or circumstance, is held invalid, the application of such provision, and of the remaining provisions hereof, to other persons or circumstances shall not be affected thereby.

Filed at Washington, D. C., this 2d day of March 1948.

[SEAL] S. R. NEWELL,
Acting Assistant Administrator

[F. R. Doc. 48-1983; Filed, Mar. 4, 1948; 8:54 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR, Parts 20, 21, 22, 24, 25, 26, 27, and 51]

CITIZENSHIP REQUIREMENTS

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Safety Bureau, notice is hereby given that the Bureau will propose to the Board amendments to §§ 20.31, 21.12, 22.122, 24.12, 25.10, 26.1 (d) 27.12, and 51.1 (c) of the Civil Air Regulations relating to citizenship requirements as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views or arguments as they may desire. Communications should be submitted to the Civil Aeronautics Board, attention Safety Bureau, Washington 25, D. C. All communications received within 30 days after the date of this publication will be considered by the Board before taking further action on the proposed rules.

Information has been exchanged with certain friendly foreign governments relating to the granting of reciprocity in the issuance of airman certificates with commercial privileges. Since the commercial privileges are not a consideration of the student or private certificate, §§ 20.02, 20.21, and 22.102 relating to these two categories have not been included in this proposal.

The present wording of the citizenship requirements in the Civil Air Regulations with respect to airman certificates

is not consistent throughout the various parts of the regulations.

The purpose of this proposal is to prescribe uniform wording and standardized citizenship privileges in the various airmen certification parts of the regulations.

It is proposed to amend §§ 20.31, 21.12, 22.122, 24.12, 25.10, 26.1 (d), 27.12, and 51.1 (c) to read as follows:

Citizenship. Applicant shall be a citizen of the United States or of a foreign government which grants reciprocal (name of airman) privileges to citizens of the United States on equal terms and conditions with citizens of such foreign government.

These amendments are proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended.

(Secs. 205 (a) 601-610, 52 Stat. 984, 1007-1012; 49 U. S. C. 425 (a), 551-560)

Dated: March 1, 1948, at Washington, D. C.

By the Safety Bureau.

[SEAL] JOHN M. CHAMBERLAIN, *Assistant Director (Regulations)*

[F. R. Doc. 48-1957; Filed, Mar. 4, 1948; 8:50 a. m.]

NOTICES

CIVIL AERONAUTICS BOARD

[Docket No. 3037]

NATIONAL AIRLINES, INC.

NOTICE OF HEARING

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, of National Airlines, Inc., over its entire system; and of the order to show cause therein, published by the Board February 24, 1948 (Serial Number E-1218)

Notice is hereby given that hearing in the above-entitled matter is assigned to be held March 8, 1948, at 10:00 a. m. (eastern standard time) in Room 1851, Department of Commerce Building, 14th and E Streets, N. W., Washington, D. C., before Examiner Ralph L. Wiser.

Dated at Washington, D. C., March 1, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 48-1945; Filed, Mar. 4, 1948; 8:49 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-704]

TRANS-CONTINENTAL GAS PIPE LINE CO., INC.

ORDER OMITTING INTERMEDIATE DECISION PROCEDURE AND FIXING DATE FOR FILING BRIEFS AND ORAL ARGUMENTS

MARCH 1, 1948.

Upon consideration of:

(a) The motion filed herein on February 20, 1948, by Trans-Continental Gas Pipe Line Company, Inc., requesting among other things, opportunity for oral argument before the Commission, omission of any intermediate decision procedure (including omission of a report by the Presiding Examiner) and that filing of briefs be not required; and

(b) The answer in opposition and motion for extension of time within which to file briefs, filed herein on February 26, 1948, by National Coal Association, et al.,

It appearing to the Commission that: At the conclusion of the hearings herein on February 21, 1948, the Presiding Examiner, in the belief that this proceeding is subject to the requirements of the Provisional Rules of Practice and Regulations under the Natural Gas Act, directed that briefs in this matter be filed by March 15, 1948.

The Commission finds that:

(1) This proceeding is governed by the Commission's Rules of Practice and Procedure effective September 11, 1946.

(2) Due and timely execution of its functions imperatively and unavoidably requires that the Commission omit the intermediate decision procedure and render the final decision in this case.

The Commission, therefore, orders that:

(A) The intermediate decision procedure be and the same hereby is omitted in accordance with the provisions of Rule 30 (c) (3) of the Commission's Rules of Practice and Procedure effective September 11, 1946.

(B) Simultaneous briefs be filed on or before March 15, 1948, and oral argument be had before the Commission on March 22, 1948, at 10:00 a. m. (EST) in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C.

(C) The above-mentioned motions be and the same are hereby denied in all other respects.

Date of issuance: March 2, 1948.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 48-1951; Filed, Mar. 4, 1948; 8:50 a. m.]

[Docket Nos. G-980, G-983]

MOUNTAIN FUEL SUPPLY CO. AND UNITED GAS PIPE LINE CO.

NOTICE OF FINDINGS AND ORDERS ISSUING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

MARCH 2, 1948.

Notice is hereby given that, on March 1, 1948, the Federal Power Commission issued its findings and orders entered February 26, 1948, issuing certificates of public convenience and necessity in the above-designated matters.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 48-1952; Filed, Mar. 4, 1948; 8:50 a. m.]

[Docket No. G-977]

NEW YORK STATE NATURAL GAS CORP.

NOTICE OF APPLICATION

FEBRUARY 27, 1948.

Notice is hereby given that on February 6, 1948, New York State Natural Gas Corporation (Applicant) A New York Corporation, with its principal place of business at New York City, New York, filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, as amended, authorizing Applicant to construct and operate certain natural gas facilities, subject to the jurisdiction of the Commission, described as follows:

A regulating and metering station to be installed at a point of connection at the intersection of a 10-inch pipe line of the Penn-York Natural Gas Corporation with the 14-inch pipe line of Applicant in the Town of Angelica, Allegany County, New York.

Applicant states the facilities are proposed to be used to carry out the provisions of an amendment to its contract dated January 17, 1948, between Applicant and Penn-York Natural Gas Corporation (Penn-York) by the terms of which Applicant has agreed to establish a new connection and point of delivery in the Town of Angelica, Allegany County, New York. Applicant proposes to sell and deliver to Penn-York at said point, additional quantities of natural gas over and above those which it now delivers at a connection on its 14-inch pipe line in Bingham Township, Potter County, New York. The additional deliveries are proposed to commence on July 1, 1948, and the gas to be delivered through the proposed facilities is to be resold by Penn-York to its affiliate, Republic Light, Heat & Power Company, Inc., for distribution in portions of its territory which are now, and since December 30, 1944, have been supplied with gas purchased from Applicant. Applicant states that the gas to be delivered through the proposed facilities is not intended to be supplied to consumers in any territory not presently served.

It is stated in the application that preliminary estimates indicate the following annual quantities of gas will be required at the proposed delivery point: 1948 (beginning July 1), 418,000 Mcf; 1949, 1,100,000 Mcf and 1950, 1,200,000 Mcf.

The estimated over-all capital cost of the proposed facilities is $10,000 which

Applicant proposes to pay out of cash on hand.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of Rule 37 of the Commission's rules of practice and procedure (18 CFR 1.37) and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with reasons for such request.

The application of New York State Natural Gas Corporation is on file with the Commission and is open to public inspection. Any person desiring to be heard or to make any protest with reference to the application shall file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from date of publication of this notice in the FEDERAL REGISTER, a petition to intervene or protest. Such petition or protest shall conform to the requirements of Rule 8 or 10, whichever is applicable, of the rules of practice and procedure (as amended on June 16, 1947) (18 CFR 1.8 or 1.10)

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-1947; Filed, Mar. 4, 1948; 8:49 a. m.]

[Project Nos. 653, 1207]

ALASKAN ALLIED INDUSTRIES, INC., ET AL.

NOTICE OF ORDERS APPROVING TRANSFER OF LICENSES (MINOR)

MARCH 2, 1948.

In the matters of Alaskan Allied Industries Inc. and Guy G. Beedle, Project No. 1207; Liberty Montana Mines Company and Walter D. Corrigan, Sr., Project Nd. 653.

Notice is hereby given that, on March 1, 1948, the Federal Power Commission issued its orders entered February 26, 1948, approving transfer of licenses (minor) in the above-designated matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-1953; Filed, Mar. 4, 1948; 8:50 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 790, Amdt. 1 to Corr. Special Directive 53]

PENNSYLVANIA RAILROAD CO.

DIRECTIVE TO FURNISH CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 53 (13 F R. 1154) under Service Order No. 790 (12 F. R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 53 be, and it is hereby, amended by changing Appendix A as follows:

Mine	Cars per week
Add:	
Hillcrest #3	15

A copy of this amendment shall be served upon The Pennsylvania Railroad Company and notice of this amendment shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 27th day of February, A. D. 1948.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 48-1949; Filed, Mar. 4, 1948; 8:50 a. m.]

[S. O. 790, Amdt. 1 to Special Directive 54]

BALTIMORE AND OHIO RAILROAD CO.

DIRECTIVE TO FURNISH CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 54 (13 F. R. 1154) under Service Order No. 790 (12 F R. 7791) and good cause appearing therefor:

It is ordered, That Special Directive No. 54, be, and it is hereby amended by substituting paragraph (1) hereof for paragraph (1) thereof.

(1) To furnish to the mines listed below cars for the loading of Lehigh Valley Railroad fuel coal in the number specified from its total available supply of cars suitable for the transportation of coal:

Mine:	Number of cars weekly
Catherine Deep Mine or Pepper Strip Mine	10
Millie (strip)	12
Norton	5
Woodford (strip)	15
Eliza (strip)	7
Christopher Number 6	50
Glen Cambria	25

A copy of this amendment shall be served upon The Baltimore and Ohio Railroad Company and notice of this amendment shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 25th day of February, A. D. 1948.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Director
Bureau of Service.

[F. R. Doc. 48-1950; Filed, Mar. 4, 1948; 8:50 a. m.]

[S. O. 790, Amdt. 2 to Special Directive 54]

BALTIMORE AND OHIO RAILROAD CO.

DIRECTIVE TO FURNISH CARS FOR RAILROAD COAL SUPPLY

Upon further consideration of the provisions of Special Directive No. 54 (13 F R. 1154) under Service Order No. 790 (12 F R. 7791), and good cause appearing therefor:

It is ordered, That Special Directive No. 54 be, and it is hereby amended by changing paragraph (1) thereof as follows:

Mine:	Cars per week
Eliminate: Millie (strip)	12
Add: Tasa No. 7 (strip)	12

A copy of this amendment shall be served upon The Baltimore and Ohio Railroad Company and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 27th day of February, A. D. 1948.

INTERSTATE COMMERCE COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

[F. R. Doc. 48-1948; Filed, Mar. 4, 1948; 8:50 a. m.]

[S. O. 806-A]

UNLOADING OF AUTOS AT SAN FRANCISCO, CALIF.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of February A. D. 1948.

Upon further consideration of Service Order No. 806 (12 F R. 1135), and good cause appearing therefor: *It is ordered,* That:

(a) Service Order No. 806, Autos at San Francisco, Calif., be unloaded, be, and it is hereby, vacated and set aside.

It is further ordered, That this order shall become effective at 11:59 p. m., March 2, 1948; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W P BARTEL,
Secretary.

[F. R. Doc. 48-1954; Filed, Mar. 4, 1948; 8:59 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-75, 70-726]

COMMONWEALTH & SOUTHERN CORPORATION (DELAWARE)

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its

office in the city of Washington on the 27th day of February 1948.

The Commonwealth & Southern Corporation ("Commonwealth") a registered holding company, having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly section 12 (c) thereof and Rule U-46 thereunder, regarding the proposed payment of a dividend of $3.00 per share or an aggregate of $4,323,741 on the outstanding shares of its preferred stock, payable on the 28th day after the date of the order of the Commission permitting the payment of such dividend or on April 1, 1948, whichever date is later, to stockholders of record at the close of business on the 10th day after the date of such order (or if such 10th day is not a business day, the first business day following such 10th day) or on March 12, 1948, whichever date is the later; and

The Commission having heretofore instituted proceedings under sections 11 (b) (1) and 11 (b) (2) of the act with respect to Commonwealth and its subsidiaries; and

Commonwealth having filed a plan for compliance with such sections of the act, providing, among other things, for the liquidation of Commonwealth; and

Commonwealth having stated in the instant declaration that "The Board recognizes that, in view of the pending proceedings, the 'Earned Surplus' account may be so qualified that under the rules and practice of the Commission, payment of said dividend is subject to the requirement of Commission authorization under the provisions of section 12 (c) of the act and Rule U-46 in spite of the fact that, as authorized by section 34 of the Delaware General Corporation Law, the source of payment of such dividend under such Law is Commonwealth's net profits for the current and preceeding fiscal year"; and

The instant declaration having been filed on February 6, 1948 and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said declaration within the period specified in the said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission deeming that it would not be necessary or appropriate to deny effectiveness to the declaration under the standards of section 12 (c) of the act and Rule U-46 if it should be found that the proposed payment were to be made out of capital and that, therefore, it is unnecessary for the Commission to determine whether said proposed payment is being made out of capital; and

The Commission therefore deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective insofar as section 12 (c) and Rule U-46 are applicable to the proposed payment; and

Commonwealth having requested that the Commission's order be issued herein on or before March 1, 1948, and become effective forthwith, and the Commission deeming it appropriate to grant such request:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid declaration be, and the same hereby is, permitted to become effective forthwith, *Provided, however*, That this order shall not be construed as a determination that such dividend payment is or is not taxable to the recipient pursuant to the provisions of the Internal Revenue Code, *And provided further*, That Commonwealth accompany the dividend checks with a statement to the effect (1) that Commonwealth filed the declaration regarding the proposed dividend payment pursuant to section 12 (c) and Rule U-46 by reason of its uncertainty as to whether the "Earned Surplus" account may be so qualified, under the rules and practice of the Commission, that payment of the proposed dividend is subject to the requirement of Commission authorization under the act and the rules thereunder and that the Commission permitted the declaration to become effective without determining whether the proposed payment is being made out of capital and (2) that the Commission's action in permitting the declaration to become effective should not be construed as a determination that such dividend payment is or is not taxable to the recipient pursuant to the provisions of the Internal Revenue Code.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-1940; Filed, Mar. 4, 1948; 8:48 a. m.]

UNITED LIGHT AND RAILWAYS CO. ET AL.

ORDER DISMISSING PETITION

In the matter of The United Light and Railways Company, and American Light & Traction Company et al. File Nos. 59-11, 59-17 and 54-25.

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 26th day of February A. D. 1948.

Panhandle Eastern Pipe Line Company, a participant in the proceedings before us involving The United Light and Railways Company and its holding company subsidiary, American Light & Traction Company, having filed on February 24, 1948 a petition requesting the Commission to reconsider, vacate and rescind the orders entered in these proceedings on November 19, 1947, December 30, 1947 and January 6, 1948, approving the section 11 (e) plan filed by those companies contained in Application No. 31, as amended, and certain transactions incidental thereto; and

Said petition not having been filed within the time provided in the Commission's published rules of practice for filing any petition for rehearing, or within a reasonable time thereafter, and said petition neither alleging any grounds for failure to comply with said provisions of the rules of practice nor advancing any arguments or considerations materially differing from those presented by petitioner during the course of the administrative proceedings in connection with the plan and considered by the Commission in issuing its findings, opinions and orders approving the plan and said transactions incidental thereto:

It is ordered, That the petition be, and hereby is, dismissed.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-1944; Filed, Mar. 4, 1948; 8:49 a. m.]

[File No. 70-1693]

OHIO POWER CO. AND CENTRAL OHIO COAL CO.

ORDER EXTENDING TIME

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 27th day of February A. D. 1948.

Ohio Power Company ("Ohio") an electric utility subsidiary of American Gas & Electric Company, a registered holding company, and Ohio's wholly owned nonutility subsidiary, Central Ohio Coal Company ("Coal Company") having heretofore filed an application-declaration with this Commission with respect to the purchase by Ohio from Coal Company of not to exceed 12,500 shares of the capital stock of Coal Company of the par value of $100 per share, at a price of $100 per share, such shares to be purchased from Coal Company from time to time as funds should be required prior to December 31, 1947; and

An order having been entered by this Commission dated November 27, 1946 granting said application and permitting the declaration to become effective; and

Ohio having acquired 10,500 shares of the capital stock of Coal Company as of December 31, 1947; and

An amendment to said application-declaration having been filed on February 12, 1948, requesting that the time within which Ohio, and Coal Company may comply with the order of November 27, 1946 with respect to the unsubscribed for 2,000 shares of capital stock of Coal Company, be extended to March 31, 1948; and

The Commission having considered such request and deeming it appropriate that it be granted:

It is ordered, That the time within which Ohio may purchase the remaining 2,000 shares of the capital stock of Coal Company in accordance with the terms stated in the application-declaration as filed be and hereby is extended to and including March 31, 1948.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-1933; Filed, Mar. 4, 1948; 8:48 a. m.]

[File No. 70-1618]

CENTRAL MAINE POWER CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its

office in the city of Washington, D. C., on the 20th day of February A. D. 1948.

Central Maine Power Company, a public utility subsidiary of New England Public Service Company, a registered holding company, which in turn is a subsidiary of Northern New England Company, also a registered holding company, having filed an application, pursuant to section 10 of the Public Utility Holding Company Act of 1935, regarding the acquisition from Androscoggin Mills, Bates Manufacturing Company, Hill Manufacturing Company, Pepperell Manufacturing Company and Continental Mills, of all of the issued and outstanding common stock of Union Water Power Company, a non-utility company, consisting of 6,470 shares of common stock, $100 par value, for a cash consideration of $653,470 or $101 per share; and Central Maine Power Company acquiring indirectly 2,500 shares (25%) of the outstanding capital stock of Androscoggin Reservoir Company, a non-utility company, owned by Union Water Power Company; and

A public hearing having been held on said application, and the Commission having considered the record and having made and filed its findings and opinion herein:

It is ordered, That the application be, and the same hereby is, granted forthwith, subject, however, to the terms and conditions contained in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-1938; Filed, Mar. 4, 1948; 8:48 a. m.]

[File No. 70-1713]

CENTRAL NEW YORK POWER CORP.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 27th day of February 1948.

Central New York Power Corporation ("Central New York") a subsidiary of Niagara Hudson Power Corporation, a holding company, which in turn is a subsidiary of The United Corporation, a registered holding company, having filed an application-declaration pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 with respect to the following transaction:

Central New York proposes to issue and sell, from time to time during the calendar year 1948, its 2¼% promissory notes due December 31, 1950, in the principal amount not to exceed $10,000,000. Such notes are to be sold to twelve financial institutions and the proceeds therefrom are to be used by Central New York for construction purposes.

On February 26, 1948, the Public Service Commission of the State of New York authorized the proposed issuance and sale of notes.

Said application having been filed on December 26, 1947, and the last amendment thereto having been filed on February 27, 1948, notice of such filing having been duly given in the manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application-declaration within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to said application-declaration that the requirements of the applicable provisions of the act and rules thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said application-declaration be granted:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act and subject to the terms and conditions prescribed in Rule U-24, that the aforesaid application-declaration be, and the same hereby is, granted and permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-1942; Filed, Mar. 4, 1948; 8:49 a. m.]

[File No. 70-1715]

LONG ISLAND LIGHTING CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 26th day of February 1948.

Long Island Lighting Company ("Long Island") a registered holding company, having filed an application and amendments thereto, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, with respect to the following transaction:

Long Island proposes to issue and sell to six insurance companies for cash at principal amount $12,000,000 principal amount of its 3% first mortgage bonds, Series G, due January 1, 1958. The proceeds of the sale of the bonds will be used to retire short term promissory notes of the company.

Such application, as amended, having been duly filed, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act and the Commission not having received a request for hearing with respect to said application, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

It appearing to the Commission that the proposed issue and sale of bonds has been approved by the Public Service Commission of the State of New York and that it is appropriate in the public interest and in the interests of investors and consumers to grant applicant's request that the application, as amended, be granted so as to permit immediate consummation of the proposed transaction:

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions prescribed by Rule U-24, that the application, as amended, be, and the same hereby is, granted, and that the proposed transaction may be consummated forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-1943; Filed, Mar. 4, 1948; 8:49 a. m.]

[File No. 70-1749]

STATEN ISLAND EDISON CORP.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 27th day of February 1948.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") by Staten Island Edison Corporation ("Staten Island") an indirect subsidiary of General Public Utilities Corporation, a registered holding company. Declarant has designated sections 6 (a) and 7 of the act as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than March 12, 1948, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after March 12, 1948, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said declaration which is on file in the offices of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

Staten Island proposes to issue and sell to three commercial banks an aggregate of $1,750,000 principal amount of notes, each such note to bear interest at a rate not in excess of 2% per annum and to be of a maturity not in excess of six months. The proceeds of the new notes will be used to meet the maturity of the $1,500,000 principal amount of presently outstanding notes and the balance will be used to reimburse the treasury of Staten Island for capital expenditures heretofore made.

Declarant states that the transaction is not subject to the jurisdiction of any commission other than this Commission.

Declarant requests that the Commission enter its order so as to permit con-

summation of the proposed transaction not later than March 17, 1948.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-1941; Filed, Mar. 4, 1948; 8:48 a. m.]

UNITED STATES MARITIME COMMISSION

FLORIDA NATIONAL BANK OF JACKSONVILLE; APPLICATION FOR COMMITMENT TO INSURE A PREFERRED SHIP MORTGAGE

NOTICE OF HEARING

Notice is hereby given that an informal public hearing will be held on March 22, 1948, at 10:00 o'clock a. m., in Room No. 4823, Department of Commerce Building, Washington, D. C., before G. O. Basham, Chief Examiner, upon an amended application dated November 26, 1947, of The Florida National Bank of Jacksonville, for a commitment to insure a preferred ship mortgage to be executed and delivered to said bank by Gulf Atlantic Transportation Co., Jacksonville, Florida. Said application relates to the financing of construction of a vessel designated the "Carib Queen" for operation in a daily round-trip ferry service for the transport of private automobiles, trailers, passengers, mail, and freight between Key West, Florida, and Havana, Cuba.

The purpose of the hearing is to receive evidence as to (1) the economic soundness of the aforementioned project, and (2) the competitive effect thereof.

The hearing will be conducted pursuant to § 201.111 of the Commission's rules of procedure, and such other sections of the rules as may be applicable.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) desiring to be heard at such hearing may file with the Commission, on or before March 15, 1948, written request to appear and be heard.

Dated: March 1, 1948, at Washington, D. C.

By the Commission.

[SEAL] A. J. WILLIAMS, *Secretary.*

[F. R. Doc. 48-1955; Filed, Mar. 4, 1948; 8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 10481]

FRAU PROF. DR. BERGHOFF-ISLING (WWE.)

In re: Certificates of deposit owned by Frau Prof. Dr. Berghoff-Isling (Wwe.). F-28-28228-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Frau Prof. Dr. Berghoff-Isling (Wwe.) whose last known address is Buchschlag, Hessen, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: Two (2) certificates of deposit for St. Louis-San Francisco Railway Company Prior Lien Series A 4% Gold bonds, numbered and of the face values as follows:

Number:	Face value
1116	$500.00
509	250.00

which certificates of deposit are presently in the custody of the Federal Reserve Bank of New York, 33 Liberty Street, New York, New York, and held by it for the account of the Secretary of the Treasury of the United States, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 14, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON, *Assistant Attorney General, Director, Office of Alien Property.*

[F. R. Doc. 48-1960; Filed, Mar. 4, 1948; 8:51 a. m.]

[Vesting Order 10480]

JOHN B. LINDER

In re: Stock owned by John B. Linder. F-28-22297-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That John B. Linder, whose last known address is Stocken, Gemeinde Waldberg, Wittbg., O/A Ravensburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows: Fifteen (15) shares of $10 par value common capital stock of General Motors Corporation, 1775 Broadway, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificate number C 310480, registered in the name of John B. Linder, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 14, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON, *Assistant Attorney General, Director, Office of Alien Property.*

[F. R. Doc. 48-1961; Filed, Mar. 4, 1948; 8:51 a. m.]

[Vesting Order 10473]

EDWARD JOHANN GROESSER

In re: Stock owned by Edward Johann Groesser. F-28-24062-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Edward Johann Groesser, whose last known address is Commerz & Privat Bank, Schusselkaub, Bremen, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: Thirty (30) shares of $1.00 par value subshare certificates of Texas Pacific Land Trust, 65 Broadway, New York

6, New York, an unincorporated association, registered in the name of Edward Johann Groesser, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany),

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 9, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-1962; Filed, Mar. 4, 1948; 8:51 a. m.]

[Vesting Order 10680]

EDUARD CONRAD CLEMENS TEICHGRABER

In re: Stock owned by Eduard Conrad Clemens Teichgraber. F-28-8035-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Eduard Conrad Clemens Teichgraber, whose last known address is Steinborsto 257 A, Gronau, Hanover, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows:

a. Fifty-eight (58) shares of $50.00 par value 6 percent cumulative preferred, Series A, capital stock of The United States Printing and Lithograph Company, Beech & Robertson Avenue, Norwood, Ohio, a corporation organized under the laws of the State of Ohio, evidenced by certificate number O-585, registered in the name of Eduard Conrad Clemens Teichgraber, together with all declared and unpaid dividends thereon, and any and all rights of exchange thereunder and thereof, and

b. One hundred eighty-four (184) shares of no par value common capital stock of The United States Printing and Lithograph Company, Beech & Robertson Avenue, Norwood, Ohio, a corporation organized under the laws of the State of Ohio, evidenced by certificate number B-115, registered in the name of Eduard Conrad Clemens Teichgraber, together with all declared and unpaid dividends thereon, and any and all rights of exchange thereunder and thereof,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 9, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-1963; Filed, Mar. 4, 1948; 8:51 a. m.]

[Vesting Order 10700]

PAULINE HAAG

In re: Estate of Pauline Haag, deceased. File No. D-28-8479; E. T. sec. 9878.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Karl Haag, Pauline Haag, Wilhelm Haag, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That all right, title and interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of Pauline Haag, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by the County Treasurer of Peoria County, Illinois, as depositary, acting under the judicial supervision of the Probate Court of the County of Peoria, State of Illinois;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1964; Filed, Mar. 4, 1948; 8:51 a. m.]

[Vesting Order 10701]

WILLIAM HEERS ET AL.

In re: William Heers vs. Frederich Wegmeier et al. File No. D-10241; E. T. sec. 14594.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Frederich Wegmeier and Marie Behrens, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That the heirs, names unknown, of Frederich Wegmeier and Marie Behrens, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany),

3. That the sum of $493.34 in the possession of the Clerk of the District Court of Jackson County, Kansas, pursuant to the order dated October 6, 1947, of the District Court of Jackson County, Kansas, in the matter of William Heers, Plaintiff, against Frederich Wegmeier et al., Defendants, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany),

4. That such property is in the process of administration by the Clerk of the District Court of Jackson County, Kansas, acting under the judicial supervision of the District Court of Jackson County, Kansas,

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the

heirs, names unknown, of Frederich Wegmeier and Marie Behrens, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-1965; Filed, Mar. 4, 1948; 8:51 a. m.]

[Vesting Order 10702]

GEORGE HOCHHAUS

In re: Estate of George Hochhaus, alias George A. Hockhaus, alias George A. Hochhaus, deceased. File D-28-9410; E. T. sec. 12531.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Annie Hochhaus and Helmuth Hochhaus, whose last known addresses are Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the heirs at law, names unknown, of George Hochhaus, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of George Hochhaus, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany),

4. That such property is in the process of administration by John T. Dempsey, as Administrator, acting under the judicial supervision of the Probate Court of Cook County, Illinois;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the heirs at law, names unknown, of George Hochhaus, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1966; Filed, Mar. 4, 1948; 8:51 a. m.]

[Vesting Order 10704]

LORENZ JOCHIM

In re: Estate of Lorenz Jochim, deceased. File No. D-28-7602; E. T. sec. 8077.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Carl Jochim and George Jochim, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the Estate of Lorenz Jochim, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by the Citizens Fidelity Bank and Trust Co., as executor, acting under the judicial supervision of the County Court of Jefferson County, Kentucky·

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-1967; Filed, Mar. 4, 1948; 8:51 a. m.]

[Vesting Order 10710]

HERMAN STROEDTER

In re: Estate of Herman Stroedter, deceased. File No. D-28-12177; E. T. sec. 16398.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Caroline Johannes and Emilie Johannes, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country, (Germany),

2. That the City of Saarbrucken, Germany, is a political sub-division of a designated enemy country, (Germany)

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 and the City of Saarbrucken, in and to the estate of Herman Stroedter, deceased, is property payable or distributable to, or claimed by the aforesaid nationals and a political subdivision of a designated enemy country, (Germany)

4. That such property is in the process of administration by The Peoples National Bank of New Brunswick, New Jersey, as Executor, acting under the judicial supervision of the Orphans' Court of Middlesex County, New Jersey;

and it is hereby determined:

5. That to the extent that Caroline Johannes and Emilie Johannes are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1968; Filed, Mar. 4, 1948; 8:52 a. m.]

[Vesting Order CE 433]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN CONNECTICUT AND NEW YORK COURTS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such persons's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A,

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or are determined to have as a result of said actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR Cum. Supp., 503.6)

Executed at Washington, D. C., on February 27, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
		Item 1	
The Luisenstift of Berlin, Germany.	Germany	Estate of Charles F. Cuno, deceased. Probate Court, District of Meriden, Meriden, Conn.	$282.00
		Item 2	
Sofia Unger	Hungary	Estate of Michael Munk, deceased. Surrogate's Court, New York County, New York, N. Y. Index No. P157-1945.	30.00
		Item 3	
Vilma Fodor	do	Same	30.00
		Item 4	
Sara Wolf	do	Same	30.00
		Item 5	
Irene Kreisler	do	Same	30.00
		Item 6	
Julia Szigledy Imre, also known as F. Siklaki Imrene.	do	Estate of Cacilia Netra, deceased, also known as Cacilia Pinter Netra. Surrogate's Court, New York County, New York, N. Y. Docket No. A-1708-1945.	25.00
		Item 7	
Alice Theodora Mensing von Troschke, and her issue, names unknown.	Austria	George E. Roosevelt, trustee under the will of Laura Roosevelt vs. Grosvenor A. Porter, and others. Supreme Court, New York County, New York, N. Y. Docket No. 34017-1945.	56.00
		Item 8	
Cornelia Mensing Osslsius, and her issue, names unknown.	do	Same	56.00
		Item 9	
Mollie Schmertzler	Poland	Estate of Rose Kreuter, deceased. Surrogate's Court, New York County, New York, N. Y. File No. P-1471-1943.	$11.00
		Item 10	
Caroline Schmertzler	do	Same	8.00
		Item 11	
Lillie Schmertzler	do	Same	8.00
		Item 12	
Sam Schmertzler	do	Same	8.00
		Item 13	
Peppy Schorr	do	Same	8.00
		Item 14	
Yetta Lichtman	do	Same	8.00
		Item 15	
Feiga Ficyk	do	Same	8.00
		Item 16	
Rachel Thaler	do	Same	8.00
		Item 17	
Sarah Aks	do	Same	8.00
		Item 18	
Aline Wallach Mayer	Holland	Estate of Adolf Mayer, deceased. Surrogate's Court, New York County, New York, N. Y. Index No. F-1569-1946.	10.00
		Item 19	
Herbert Mayer	do	Same	25.00
		Item 20	
Lillie Mayer Staal	do	Same	25.00
		Item 21	
Werra Mayer	do	Same	25.00

[F. R. Doc. 48-1981; Filed, Mar. 4, 1948; 8:53 a. m.]

[Vesting Order 10713]

AJIKA AMANO ET AL.

In re: Stock owned by Ajika Amano and others. D-39-4899-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons listed in Exhibit A, attached hereto and by reference made a part hereof, each of whose last known addresses are Japan, are residents of Japan and nationals of a designated enemy country (Japan),

2. That the property described as follows: Ninety-seven (97) shares of $100.00 par value common capital stock of Japanese Hospital of Los Angeles, 101 South Ficket Street, Los Angeles, California, a corporation organized under the laws of the State of California, evidenced by the certificates numbered as set forth in the aforesaid Exhibit A, registered in the names of the persons and in the amounts appearing opposite each certificate number, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the persons referred to in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been

made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

EXHIBIT A

Registered owner	Certificate No.	Number of shares	OAP file No.
Ajika Amano	138	3	D-39-2488-D-1
Chutaro Kato	13	5	D-39-5790-D-1
Goichi Kawamoto	81	5	F-39-6104-D-1
(Miss) Kiseko Makita	4	10	F-39-6105-D-1
Yujiro Miyata	139	3	F-39-6106-D-1
Kazutoshi Ozasa	240	1	F-39-6107-D-1
Towru Ozasa	267	2	D-39-10417-D-1
Matsuta Takahashi	211	38	F-39-4798-D-2
Noboru Tsuda	276	10	D-39-17146-D-1
Kanetaro Yamashita	295	10	F-39-6103-D-1
Fujiso Yano	69	10	D-39-13584-D-1

[F. R. Doc. 48-1969; Filed, Mar. 4, 1948; 8:52 a. m.]

[Vesting Order 10721]

LAMBERT KLEIN, JR., AND WILFRED KLEIN

In re: Voting trust certificates and bonds owned by and debt owed to Lambert Klein, Jr. and Wilfred Klein. F-28-13763-A-1, F-28-13763-B-1, F-28-13763-D-1, F-28-13763-D-2, F-28-13766-A-1, F-28-13766-B-1, F-28-13766-D-1, F-28-13766-D-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Lambert Klein, Jr. and Wilfred Klein, whose last known addresses are 58/59 Grossberrenstrasse, Berlin, S. W 61, Germany, and 113 Hohenzollernstrasse, Muenchen, Germany, respectively, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows:

a. One Voting Trust Certificate representing ten (10) shares of preferred stock of Philadelphia Transportation Company, Mitten Building, Philadelphia, Pennsylvania, said Certificate bearing number VP/O 26827, registered in the name of Lambert Klein, Jr., and presently in the custody of Fidelity-Philadelphia Trust Company, 135 So. Broad Street, Philadelphia 9, Pa., together with any and all rights thereunder and thereto,

b. One Baltimore & Ohio R. R. Co., 1st Mortgage Bond, 5s Stpd. 4s, of $500.00 face value, bearing the number D-11828, and presently in the custody of Fidelity-Philadelphia Trust Company, 135 So. Broad Street, Philadelphia 9, Pa., together with any and all rights thereunder and thereto,

c. One Lehigh Valley Rwy. Co., 1st Extd. Bond, Stpd. 4½s, of $1,000.00 face value, bearing the number 1114, and presently in the custody of Fidelity-Philadelphia Trust Company, 135 So. Broad Street, Philadelphia 9, Pa., together with any and all rights thereunder and thereto,

d. One Lehigh Valley R. R. Co. General Cons. Mortgage Bond, Stpd. 4s, of $1,000.00 face value, bearing the number 2551, and presently in the custody of Fidelity-Philadelphia Trust Company, 135 So. Broad Street, Philadelphia 9, Pa., together with any and all rights thereunder and thereto,

e. One New York Central & Hudson River R. R. Co. Bond, 3½s, of $1,000.00 face value, bearing the number 18578, and presently in the custody of Fidelity-Philadelphia Trust Company, 135 So. Broad Street, Philadelphia 9, Pa., together with any and all rights thereunder and thereto.

f. One The Bell Telephone Company of Pennsylvania, First and Refunding Mortgage 5% Gold Bond, Series C, of $1,000.00 face value, bearing the number M-11533, and presently in the custody of Fidelity-Philadelphia Trust Company, 135 So. Broad Street, Philadelphia 9, Pa., together with any and all rights thereunder and thereto,

g. Four Philadelphia Transportation Co., Cons. A Bonds, 3s, each of $100.00 face value, bearing the numbers C-18926, C-18927, C-18928 and C-18929, and presently in the custody of Fidelity-Philadelphia Trust Company, 135 So. Broad Street, Philadelphia 9, Pa., together with any and all rights thereunder and thereto, and

h. That certain debt or other obligation owing to Lambert Klein, Jr., by Fidelity-Philadelphia Trust Company, 135 So. Broad Street, Philadelphia 9, Pa., arising out of account number 46798, in the amount of $5,796.86, as of August 13, 1947, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Lambert Klein, Jr., the aforesaid national of a designated enemy country (Germany),

3. That the property described as follows:

a. One Voting Trust Certificate representing ten (10) shares of preferred stock of Philadelphia Transportation Company, Mitten Building, Philadelphia, Pennsylvania, said certificate bearing number VP/O 26828, registered in the name of Wilfred Klein, and presently in the custody of Fidelity-Philadelphia Trust Company, 135 So. Broad Street, Philadelphia 9, Pa., together with any and all rights thereunder and thereto,

b. Two Lehigh Valley R. R. Co. General Cons. Mortgage Bonds, stamped 4s, each of $1,000.00 face value, bearing the numbers 2552 and 2553, and presently in the custody of Fidelity-Philadelphia Trust Company, 135 So. Broad Street, Philadelphia 9, Pa., together with any and all rights thereunder and thereto,

c. One Lehigh Valley Rwy. Co. 1st Extd. Bond, Stpd. 4½s, of $1,000.00 face value, bearing the number 1113, and presently in the custody of Fidelity-Philadelphia Trust Company, 135 So. Broad Street, Philadelphia 9, Pa., together with any and all rights thereunder and thereto,

d. One New York Central & Hudson River R. R. Co. Bond, 3½s, of $1,000.00 face value, bearing the number 18577, and presently in the custody of Fidelity-Philadelphia Trust Company, 135 So. Broad Street, Philadelphia 9, Pa., together with any and all rights thereunder and thereto,

e. One Pennsylvania R. R. Co. Genl. Mortgage Bond, Series A, 4½s, of $1,000.00 face value, bearing the number 45577, and presently in the custody of Fidelity-Philadelphia Trust Company, 135 So. Broad Street, Philadelphia 9, Pa., together with any and all rights thereunder and thereto,

f. One The Bell Telephone Company of Pennsylvania, First and Refunding Mortgage 5% Gold Bond, Series C, of $1,000.00 face value, bearing the number M-11532, and presently in the custody of Fidelity-Philadelphia Trust Company, 135 So. Broad Street, Philadelphia 9, Pa., together with any and all rights thereunder and thereto,

g. Four Philadelphia Transportation Co., Cons. Mortgage, Series A Bonds, 3s, each of $100.00 face value, bearing the numbers C-16852, C-16853, C-16854 and C-18293, and presently in the custody of Fidelity-Philadelphia Trust Company, 135 So. Broad Street, Philadelphia 9, Pa., together with any and all rights thereunder and thereto, and

h. That certain debt or other obligation owing to Wilfred Klein, by Fidelity-Philadelphia Trust Company, 135 So. Broad Street, Philadelphia 9, Pa., arising out of account number 46799, in the amount of $5,554.51, as of August 13, 1947, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Wilfred Klein, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-1970; Filed, Mar. 4, 1948; 8:52 a. m.]

[Vesting Order CE 434]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN ILLINOIS, IOWA, MINNESOTA, OHIO, AND MISSOURI COURTS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That as a result of such action or proceeding each of said persons obtained or was determined to have the property particularly described in Column 4 of said Exhibit A opposite such person's name;

4. That such property is in the possession or custody of, or under the control of, the person described in Column 5 of said Exhibit A opposite such property;

5. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 6 of said Exhibit A opposite such action or proceeding;

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property in the possession or custody of, or under the control of, the persons described in Column 5 of said Exhibit A in amounts equal to the sums stated in Column 6 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6).

Executed at Washington, D. C., on February 27, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Property	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Marie Hager	Austria	Estate of Eman Kratochvil, deceased. Probate Court, Cook County, Ill.	$341.99	Mrs. Antoinette Chmela, administratrix, c/o James J. Gaughan, 140 North Dearborn St., Chicago 2, Ill.	$114.00
		Item 2			
Anthony Radosevich	Yugoslavia	Estate of Lawrence Radosevich, deceased. District Court, Dallas County, Adel, Iowa.	164.43	Clerk of District Court, Dallas County, Adel, Iowa.	22.00
		Item 3			
Josephine Katana	do	Same	164.43	do	22.00
		Item 4			
Ole Austad	Norway	Estate of Hans Nesse, deceased. Probate Court, Blue Earth County, Minn.	1,838.77	Consul General for Norway, Minneapolis, Minn.	60.00
		Item 5			
Sakrias Reinertson	do	Same	2,068.66	do	60.00
		Item 6			
Eugene Szabo	Hungary	Trust under the will of John Szabo, deceased. Probate Court, Cuyahoga County, State of Ohio. No. 194949.	(1)	Cleveland Trust Co., trustee, Cleveland, Ohio.	197.00
		Item 7			
Demetrio Rigali	Italy	Estate of Eliseo Rigali, deceased. Probate Court, City of St. Louis, Mo. No. 96463.	238.15	Mercantile-Commerce Bank & Trust Co., Locust-Eighth-St. Charles, St. Louis, Mo.	35.00
		Item 8			
Iacopo Cassettari	do	Same	233.15	do	35.00
		Item 9			
Manilla Dalli	do	Same	119.07	do	17.00
		Item 10			
Vittoria Dalli	do	Same	119.03	do	17.00

[1] Income from trust under the will of John Szabo, deceased.

[F. R. Doc. 48-1982; Filed, Mar. 4, 1948; 8:53 a. m.]

[Vesting Order CE 435]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN ILLINOIS, OHIO, TENNESSEE, AND WISCONSIN COURTS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A,

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the prop-

erty which said persons obtain or are determined to have as a result of said actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in rules of procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on February 27, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
		Item 1	
Francesco Tutino	Italy	Estate of Marianna Pileggi, deceased. Probate Court, Cook County, Ill.	$65.00
		Item 2	
Katherine Laferto	Yugoslavia	Estate of Elizabeth Schilling, deceased. Probate Court, Summit County, Ohio.	27.00
		Item 3	
Eva Masurek	do	Same	27.00
		Item 4	
Mrs. Stephen Somogyi.	Hungary	Same	6.00
		Item 5	
Helen Schilling	do	Same	5.00
		Item 6	
John Schilling	do	Same	5.00
		Item 7	
Edith Schilling	do	Same	5.00
		Item 8	
Joseph Schilling	do	Same	5.00
		Item 9	
Marie Schilling	do	Same	5.00
		Item 10	
Ilna Cramer Spenner	Germany	Trust under the will of Albert F. Stern, deceased. Probate Court, Milwaukee County, Wis.	167.00
		Item 11	
Mrs. Paraskevy Skouteropoulou.	Greece	Estate of Thomas Skouteris, deceased. Probate Court, Shelby County, Tenn. No. 59270 R. C.	64.00
		Item 12	
Marie Sulda	Austria	Estate of Frank Kerka, deceased. Probate Court, Cook County, Ill.	$110.00
		Item 13	
Emilie Hellis	do	Same	110.00
		Item 14	
Marie Fitova	Czechoslovakia.	Same	65.00
		Item 15	
Louise Baumgartner	Austria	Estate of Regina Oswald, deceased. Probate Court, Cook County, Ill. File No. 44 P 65, Docket 423, page 113.	41.00
		Item 16	
Joseph Eberhardt	do	Same	41.00
		Item 17	
Theresa Eberhardt	do	Same	14.00
		Item 18	
Mary Oswald	do	Same	14.00
		Item 19	
Joseph Oswald	do	Same	14.00
		Item 20	
Edith Wanka	do	Estate of Frank Stadler, deceased. Probate Court, Cook County, Ill.	293.00
		Item 21	
Heirs within Bulgaria, names unknown, of Dimo Mihoff, deceased.	Bulgaria	Estate of Dimo Mihoff, deceased. Probate Court, Cook County, Ill.	97.00

[F. R. Doc. 48-1983; Filed, Mar. 4, 1948; 8:53 a. m.]

[Vesting Order 10723]

HELWIG KOBER

In re: Bank account owned by Helwig Kober. F-28-3656-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Helwig Kober, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of American Trust Company, 464 California Street, San Francisco, California, arising out of a savings account, account number 6165, entitled Helen R. Kober, Trustee for Helwig Kober, maintained at the branch office of the aforesaid bank located at 1799 Solano Avenue, Berkeley 6, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Helwig Kober, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1931; Filed, Mar. 3, 1948; 8:53 a. m.]

[Vesting Order CE 436]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW JERSEY AND NEW YORK COURTS

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative

action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That as a result of such action or proceeding each of said persons obtained or was determined to have the property particularly described in Column 4 of said Exhibit A opposite such person's name;

4. That such property is in the possession or custody of, or under the control of, the person described in Column 5 of said Exhibit A opposite such property;

5. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 6 of said Exhibit A opposite such action or proceeding;

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property in the possession or custody of, or under the control of, the persons described in Column 5 of said Exhibit A in amounts equal to the sums stated in Column 6 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on February 27, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Property	Column 5 Depositary	Column 6 Sum vested
		Item 1			
Luigi Socco	Italy	Estate of Sante Piracci, deceased. Surrogate's Court, Kings County, N. Y. Index No. P-7632-1944.	$4,472.00	Ignazio Piracci, 83 Lispenard Ave., New Rochelle, N. Y., and Dominic V. Urgo, 3481 18th Avenue, Brooklyn, New York as co-executors.	$20.75
		Item 2			
Marisa Maiorano	do	Same	2,236.59	do	13.37
		Item 3			
Luciano Maiorano	do	Same	2,236.59	do	13.37
		Item 4			
Lucio Piracci	do	Same	1,278.07	do	7.64
		Item 5			
Antonia Piracci	do	Same	1,278.07	do	7.64
		Item 6			
Michelina Piracci	do	Same	1,278.07	do	7.63
		Item 7			
Florenzo Piracci	do	Same	1,278.07	do	7.63
		Item 8			
Ignazio Piracci	do	Same	1,278.07	do	7.63
		Item 9			
Sante Piracci	do	Same	1,278.07	do	7.63
		Item 10			
Angelina Piracci	do	Same	1,278.07	do	7.63
		Item 11			
Professoressa Giselda Galassi-Vedova Marchesani.	do	Estate of Hugues Marchesani, also known as Ugo Renato Marchesani and Hughes Marchesani, deceased. Surrogate's Court, Kings County, N. Y. Index No. 4527/1943.	4,295.09	Treasurer of the city of New York	102.00
		Item 12			
Lena Amoruso	do	Estate of Grace (Grazia) Puleo, also known as Maria (also Grazia) Saporito (also Seporita), deceased. Bergen County, Orphans' Court, Hackensack, N. J.	625.10	Clerk of Bergen County, Orphans' Court, Courthouse, Hackensack, N. J.	27.00
		Item 13			
Maria Danca	do	Same	312.60	do	14.00
		Item 14			
Guiseppe Puleo	do	Same	125.09	do	6.00
		Item 15			
Calogero Puleo, Jr.	do	Same	187.59	do	8.00
		Item 16			
Joseph Renyak	Hungary	Estate of Veronica Kendl, also known as Mrs. Veronica Keindl, Vera Keindl and Veroneke Kendl, deceased. Surrogate's Court, Schenectady County, N. Y.	414.80	County Treasurer of Schenectady County, Schenectady, N. Y.	84.00
		Item 17			
John Renyak	Rumania	Same	414.80	do	84.00

[F. R. Doc. 48-1984; Filed, Mar. 4, 1948; 8:54 a. m.]

[Vesting Order 10724]

NIPPON NEWS EIGA SHA

In re: Debt owing to Nippon News Eiga Sha. F-39-1358-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Nippon News Eiga Sha, the last known address of which is 9 Ginza, Nishi 8-Chome, Tokyo, Japan, is a corporation, partnership, association or other business organization, organized under the laws of Japan, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan),

2. That the property described as follows: That certain debt or other obliga-

tion owing to Nippon News Eiga Sha, by Hearst Metrotone News, Inc., 1540 Broadway, New York, New York, in the amount of $114.65, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-1971; Filed, Mar. 4, 1948; 8:52 a. m.]

[Vesting Order 10725]

PRELIUS SCHMIDT

In re: Debt owing to Prelius Schmidt. F-28-28564-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Prelius Schmidt, whose last known address is Monckbergstrasse 31, Hamburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Prelius Schmidt by R. L. Dixon & Bro., 1305 Cotton Exchange Bldg., Dallas, Texas, in the amount of $170.59, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-1972; Filed, Mar. 4, 1948; 8:52 a. m.]

[Vesting Order 10726]

ANNA SIMMERING

In re: Bank account owned by Anna Simmering. F-28-8515-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anna Simmering, whose last known address is Wolfgangsklinge 18 Ellwanger, Wurttenberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation owing to Anna Simmering, by The Bank for Savings in the City of New York, 280 Fourth Avenue, New York, New York, arising out of a savings account, account number 1,492,831, entitled Anna Simmering, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-1973; Filed, Mar. 4, 1948; 8:52 a. m.]

[Vesting Order 10727]

TEIKOKU SEISHI KABUSHIKI KAISHA

In re: Debt owing to Teikoku Seishi Kabushiki Kaisha, also known as Teikoku Seishi K. K. F-39-5827-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Teikoku Seishi Kabushiki Kaisha, also known as Teikoku Seishi K. K., the last known address of which is Osaka, Japan, is a joint stock company, organized under the laws of Japan, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Osaka, Japan, and is a national of a designated enemy country (Japan)

2. That the property described as follows: That certain debt or other obligation owing to Teikoku Seishi Kabushiki Kaisha, also known as Teikoku Seishi K. K., by Geo. H. McFadden & Bro., 60 Beaver Street, New York 4, New York, in the amount of $242.33, as of March 10, 1947, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the prop-

erty described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 16, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-1974; Filed, Mar. 4, 1948; 8:52 a. m.]

[Vesting Order 10732]

ROMAN HENRY HEYN

In re: Trust under deed of Roman Henry Heyn, dated January 13, 1939. File D-28-3977-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Beata Heyn-Muller and Heinrich Heyn, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the issue, names unknown, of Beata Heyn-Muller, of Heinrich Heyn, of Oskar Heyn and of Cornel Heyn, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany)

3. That the Village of Ursprıngen, Unterfranken, Bavaria, Germany, is a political subdivision of a designated enemy country (Germany),

4. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, and the political subdivision named in subparagraph 3 hereof in and to and arising out of or under that certain trust agreement dated January 13, 1939, by and between Roman Henry Heyn, the insured, and the South Norwalk Trust Company, 91 Washington Street, South Norwalk, Connecticut, and Gertrude Hotchkiss Heyn, Owenoke Park, Westport, Connecticut, Trustees, and in and to the property held thereunder by said South Norwalk Trust Company and Gertrude Hotchkiss Heyn as Trustees, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany) and the aforesaid political subdivision of a designated enemy country (Germany),

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the issue, names unknown, of Beata Heyn-Muller, of Heinrich Heyn, of Oskar Heyn and of Cornel Heyn, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 24, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-1975; Filed, Mar. 4, 1948; 8:52 a. m.]

[Vesting Order 10737]

ELSIE BAUMANN ET AL.

In re: Bank accounts owned by Elsie Baumann, also known as Elise Baumann, and others. F-28-25260-E-1, F-28-15142-E-1, F-28-14429-E-1, F-28-14433-E-1, F-28-14791-E-1, F-28-14942-E-1, F-28-14985-E-1, F-28-14983-E-1, F-28-14979-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons, whose names and last known addresses are set forth in Exhibit A, attached hereto and by reference made a part hereof, are residents of Germany and nationals of a designated enemy country (Germany)

2. That the property described as follows: Those certain debts or other obligations of First National Bank, Odessa, New York, arising out of checking accounts, entitled as set forth opposite the names of the persons listed in the aforesaid Exhibit A, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Elsie Baumann, also known as Elise Baumann, Martha Beckemeyer, Anna Kohne, also known as Anna Kahne, Johanne Maahs, also known as Johanna Maas, Carl Meyer, also known as Karl Meyer, Heinrich Meyer, Johann Meyer, also known as Johanne Meyer, Helena Schnell, also known as Helene Schnell, and Richard Fuchs, also known as Reinhard Fuchs, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the persons referred to in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 24, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

EXHIBIT A

Name of owner	Last known address	Title of account
Elsie Baumann, also known as Elise Baumann.	Varel, Germany	Hanns P. Kniepkamp as attorney in fact for Mrs. Elsie Bauman.
Martha Beckemeyer	do	Hanns P. Kniepkamp as attorney in fact for Martha Beckemeyer.
Anna Kohne, also known as Anna Kahne.	do	Hanns P. Kniepkamp as attorney in fact for Anna Kohne or Kahne.
Johanne Maahs, also known as Johanna Maas.	do	Hanns P. Kniepkamp as attorney in fact for Johanne Maahs or Johanna Maas.
Carl Meyer, also known as Karl Meyer.	Trittau, Germany	Carl Meyer or Karl Meyer Hanns P. Kniepkamp, attorney in fact.
Heinrich Meyer	Varel, Germany	Heinrich Meyer, Hanns P. Kniephamp as attorney in fact.
Johann Meyer, also known as Johanne Meyer.	Koenigsberg, Germany.	Hanns P. Kniepkamp as attorney in fact for Johann Meyer.
Helena Schnell, also known as Helene Schnell.	Varel, Germany	Hanns P. Kniepkamp as attorney for Mrs. Helena Schnell.
Richard Fuchs, also known as Reinhard Fuchs.	Germany	Hanns P. Kniepkamp as attorney in fact for Reinhard Fuchs.

[F. R. Doc. 48-1976; Filed, Mar. 4, 1948; 8:53 a. m.]

[Vesting Order 10739]

MINNIE FRITCHE

In re: Bank account owned by Minnie Fritche, also known as Marie Fritzsche and as Minnie Marie Albertine Fritzsche. F-28-19857-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Execu-

tive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Minnie Fritche, also known as Marie Fritzsche and as Minnie Marie Albertine Fritzsche, whose last known address is Greussen, Province of Thuringen, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows: That certain debt or other obligation of The National Bank of Norfolk, Norfolk, Nebraska, arising out of a checking account, entitled Minnie Fritche by Donald D. Mapes, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Minnie Fritche, also known as Marie Fritzsche and as Minnie Marie Albertine Fritzsche, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 24, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director Office of Alien Property.

[F. R. Doc. 48-1977; Filed, Mar. 4, 1948; 8:53 a. m.]

[Vesting Order 10741]

KAME IGE AND ICHINOJO OSUGA

In re: Cash owned by Kame Ige and Ichinojo Osuga, also known as Jimmy Ichinojo Osuga and as J. I. Osuga and bank account owned by Ichinojo Osuga, also known as Jimmy Ichinojo Osuga and as J. I. Osuga.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kame Ige and Ichinojo Osuga, also known as Jimmy Ichinojo Osuga, and as J. I. Osuga, whose last known addresses are Japan, are residents of Japan and nationals of a designated enemy country (Japan),

2. That the property described as follows:

a. That certain debt or other obligation owing to Ichinojo Osuga, also known as Jimmy Ichinojo Osuga and as J. I. Osuga, by the Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco 20, California, arising out of a commercial account, entitled J. I. Osuga, maintained at the branch office of the aforesaid bank, located at 604 Main Street, El Centro, California, and any and all rights to demand, enforce and collect the same, and

b. Cash in the amount of $125.73, presently in the custody of the Attorney General of the United States in Account No. N. Y. 8962, Symbol 896-027,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Ichinojo Osuga, also known as Jimmy Ichinojo Osuga and as J. I. Osuga, the aforesaid national of a designated enemy country (Japan),

3. That the property described as follows: Cash in the amount of $20.25, presently in the custody of the Attorney General of the United States in Account No. N. Y. 8962, Symbol 896-027,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Kame Ige, the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 24, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1978; Filed, Mar. 4, 1948; 8:53 a. m.]

[Vesting Order 10743]

KOKUSAI KAISEN KABUSHIKI KAISHA

In re: Debt owing to Kokusai Kaisen Kabushiki Kaisha. F-39-2442-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kokusai Kaisen Kabushiki Kaisha, the last known address of which is Kobe, Japan, is a corporation, partnership, association or other business organization, organized under the laws of Japan, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan)

2. That the property described as follows: That certain debt or other obligation owing to Kokusai Kaisen Kabushiki Kaisha by Furness, Withy & Co., Ltd., 34 Whitehall St., New York, N. Y., in the amount of $222.81, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 24, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-1979; Filed, Mar. 4, 1948; 8:53 a. m.]

[Vesting Order 10763]

MAX ALBERT WALTER IRMISCHER

In re: Stock and bank account owned by Max Albert Walter Irmischer. F-28-3592-A-1, F-28-3592-D-1, F-28-3592-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Max Albert Walter Irmischer, whose last known address is Saalfeld, Thueringia, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Nineteen (19) shares of $5.00 par value common capital stock of Atlas Corporation, 33 Pine Street, New York 5, New York, evidenced by certificate numbered CO 79450, registered in the name of Max Albert Walter Irmischer, and presently in the custody of The Continental Bank & Trust Company of New York, Custody Department, 30 Broad Street, New York 15, New York, together with all declared and unpaid dividends thereon,

b. Three (3) shares of $50.00 par value 6% Preferred capital stock of Atlas Corporation, 33 Pine Street, New York 5, New York, evidenced by certificate numbered PO 25371, registered in the name of Max Albert Walter Irmischer, and presently in the custody of The Continental Bank & Trust Company of New York, Custody Department, 30 Broad Street, New York 15, New York, together with all declared and unpaid dividends thereon,

c. Two hundred (200) shares of no par value capital stock of Allan Mfg. & Electrical Corp., evidenced by certificates numbered C–1125 and C–1126, registered in the name of Max Albert Walter Irmischer, and presently in the custody of The Continental Bank & Trust Company of New York, Custody Department, 30 Broad Street, New York 15, New York, together with all declared and unpaid dividends thereon,

d. Seven hundred (700) shares of $1.00 par value capital stock of Monsch Safety Window Corp., evidenced by certificate numbered 134, registered in the name of Max Irmischer, and presently in the custody of The Continental Bank & Trust Company of New York, Custody Department, 30 Broad Street, New York 15, New York, together with all declared and unpaid dividends thereon,

e. One hundred (100) shares of no par value Class A capital stock of Picturetone Theatres Corp., evidenced by certificate numbered A 1146, registered in the name of Jerome B. Sullivan & Co., and presently in the custody of The Continental Bank & Trust Company of New York, Custody Department, 30 Broad Street, New York 15, New York, together with all declared and unpaid dividends thereon,

f. Twenty (20) shares of $1.00 par value common capital stock of Tri-National Trading Corporation, 122 E. 42nd Street, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificate numbered TCO 536, registered in the name of Max A. Irmischer, and presently in the custody of The Continental Bank & Trust Company of New York, Custody Department, 30 Broad Street, New York 15, New York, together with all declared and unpaid dividends thereon,

g. Twenty (20) shares of $100.00 par value Preferred capital stock of Tri-National Trading Corporation, 122 E. 42nd Street, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificate numbered PO 397, registered in the name of Max A. Irmischer, and presently in the custody of The Continental Bank & Trust Company of New York, Custody Department, New York 15, New York, together with all declared and unpaid dividends thereon,

h. Six (6) shares of no par value capital stock of United Fireproofing Corp., evidenced by certificate numbered 288, registered in the name of Max A. Irmischer, and presently in the custody of The Continental Bank & Trust Company of New York, Custody Department, 30 Broad Street, New York 15, New York, together with all declared and unpaid dividends thereon,

i. One hundred and thirteen (113) shares of no par value common capital stock of United States Freight Co., evidenced by certificates numbered 03045, 03073, and 4860, registered in the name of Max Albert Walter Irmischer, and presently in the custody of The Continental Bank & Trust Company, Custody Department, 30 Broad Street, New York 15, New York, together with all declared and unpaid dividends thereon,

j. One hundred (100) shares of $5.00 par value capital stock of The Mining Corp. of Canada, Ltd., evidenced by certificate numbered 1712, registered in the name of Max A. Irmischer, and presently in the custody of The Continental Bank & Trust Company of New York, Custody Department, 30 Broad Street, New York 15, New York, together with all declared and unpaid dividends thereon, and

k. That certain debt or other obligation owing to Max Albert Walter Irmischer, by The Continental Bank & Trust Company of New York, Custody Department, 30 Broad Street, New York 15, New York, arising out of a custody account, account number 820, entitled Max Albert Walter Irmischer, maintained at the aforesaid company, and any and all rights to demand, enforce and collect the same,

subject, however, to any and all lawful liens in favor of the aforesaid The Continental Bank & Trust Company of New York, arising out of accrued but unpaid fees for custodial services, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Max Albert Walter Irmischer, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 27, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

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